

Use of Force Policy Handbook

Office of Training and Development

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HB 4500-01B



U.S. Customs and
Border Protection

For Official Use Only
Law Enforcement Sensitive

FOREWORD FROM THE COMMISSIONER

I am very pleased to bring you the first version of the *U.S. Customs and Border Protection Use of Force Policy Handbook*. This Policy supersedes the *U.S. Customs Firearms and Use of Force Handbook* (CIS HB 4500-01A) dated March 2003; the *U.S. Customs and Border Protection Interim Use of Force and Firearms Guidelines* dated October 11, 2004; the *INS Firearms Policy* dated 19 February 2003; the *U.S. Customs Firearms and Use of Force Training Policy* (CD 4510-017A) dated December 17, 2001; the *24 Hour Carry of Firearms by Office of Field Operations Personnel* (ENF-3-FO RDJ) dated March 3, 2000; and the *U.S. Immigration and Customs Enforcement Interim Firearms and Use of Force Policies* dated July 7, 2004 (as they applied to CBP components transferred from U.S. Immigration and Customs Enforcement).

This *Handbook* sets forth the Policy for use of force within U.S. Customs and Border Protection (CBP). It was developed to provide all CBP personnel a single, unifying use of force reference, while enabling CBP operational component leadership to address use of force related issues unique to their respective workplace environments and adopt more detailed operational guidance.

This Policy reflects CBP's commitment to balance the need to secure America's borders with the need to preserve individual liberties as prescribed by law. CBP adheres to the Department of Homeland Security's *Use of Deadly Force Policy* and *Commitment to Race Neutrality in Law Enforcement Activities* statements, which are attached as appendices and referenced throughout the body of this Policy.

CBP will provide legal support to the extent authorized by the Constitution and federal law for CBP personnel involved in civil or criminal legal actions as a result of performing duties under this policy, provided that actions were taken in good faith and with a reasonable belief in the lawfulness of the actions taken.


Representation by the Department of Justice is available to present and former federal employees sued, subpoenaed, or charged in a personal capacity for actions taken within the scope of their federal employment. Department of Justice representation is contingent upon a finding that the employee's actions giving rise to the suit reasonably appear to have been performed within the scope of employment, and it is in the interest of the United States to provide the requested representation. The Department of Justice is responsible for making final determinations with respect to these criteria. CBP's views on each of these elements are considered in making a decision on a request for representation. Representation requests should be coordinated through the Office of Chief Counsel.

In addition, emergency, interim legal representation for federal law enforcement officials is made available by the Department of Justice in the immediate aftermath of a shooting or other use of force involving serious physical injury. These requests should be coordinated through the Office of Chief Counsel as well.

Suggestions for future updates to this Policy should be sent to the Director of the Use of Force Policy Division.

Additional copies of this *Policy Handbook* may be obtained by submitting CBP Form 205 (Graphics, Printing and Reproduction Services Request) to the Printing, Graphics and Distribution Branch, Logistics Division.

This Policy sets forth guidance for CBP personnel, and does not create any right, privilege, or benefit for any person or party.

A handwritten signature in black ink, appearing to read "John Bersin". The signature is fluid and cursive, with a large initial "J" and "B".

Commissioner
U.S. Customs and Border Protection

FOREWORD FROM THE ASSISTANT COMMISSIONER, OFFICE OF TRAINING AND DEVELOPMENT

This document, the *U.S. Customs and Border Protection Use of Force Policy Handbook*, is the result of a collaborative process between U.S. Customs and Border Protection (CBP) operational components, and CBP's steward for use of force and threat management policy, the Office of Training and Development (OTD).

As specified in the *Handbook*, OTD, through the Use of Force Policy Division (UFPD), is responsible for the development and articulation of all CBP use of force policy. As the CBP lead for use of force and threat management policy, UFPD ensures that each CBP policy, directive, and procedure describing when and how CBP employees use force is in conformance with the provisions of this Policy, which incorporates the *DHS Use of Deadly Force Policy* (Appendix II), and the *DHS Commitment to Race Neutrality in Law Enforcement Activities* (Appendix III).

As specified in the Policy, no testing, evaluation or procurement of any firearm, weapon system, ammunition, or other use of force device is permitted without the concurrence of UFPD. Properly tested and procured firearms, weapons systems and use of force devices are to be accounted for and inventoried in accordance with inventory guidelines specified in this Policy, and in other directives and guidelines established by UFPD.

Finally, as specified in this Policy, UFPD is responsible for developing, maintaining, and approving all use of force training.

By conforming to standard use of force policies, procedures, training, and equipment, CBP personnel are able to more effectively and professionally protect themselves and the public they serve. As CBP personnel, this *Handbook* serves as your authoritative reference for firearms and use of force related issues. Therefore, you must become intimately familiar with its contents.

(b) (6), (b) (7)(C)

Assistant Commissioner
Office of Training and Development

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Chapter 1: Compliance with the U.S. Customs and Border Protection (CBP) Use of Force Policy

A. Implementation ¹

1. For the purposes of this Policy, the term "Authorized Officers/Agents" includes:
 - a. CBP Officers;
 - b. Border Patrol Agents;
 - c. Air Interdiction and Marine Interdiction Agents;
 - d. Internal Affairs Special Agents and Investigators; and
 - e. Other qualified CBP personnel as designated by the Assistant Commissioners of the operational components or the Chief, Office of Border Patrol (hereinafter referred to as "Assistant Commissioners" or "ACs"), the Commissioner and the Director of UFPD.
2. Additional qualified CBP personnel may be designated as armed personnel by the ACs of the operational components, the Commissioner and the Director of UFPD, but are not considered to be Authorized Officers/Agents and may carry CBP-authorized weapons only during duty hours and in performance of their official duties.
3. Within thirty days of issuance, Responsible Officials (ROs) shall provide a copy of this policy to all Authorized Officers/Agents. Within 30 days of receipt, Authorized Officers/Agents shall sign a statement (see Appendix I) acknowledging receipt, comprehension and the obligation to comply with the policy. Violation of the CBP Use of Force Policy may constitute grounds for disciplinary action. The signed acknowledgement shall be forwarded to the officer's/agent's duty station for inclusion in the officer's/agent's local personnel file.
4. ROs shall ensure that supervisors and managers review and discuss the contents of this policy with each officer/agent under their supervision.
5. Trainee officers/agents shall be issued a copy of this policy at their respective academies and shall be provided a course of instruction to ensure their comprehension of its elements. Trainee officers/agents shall sign a statement acknowledging receipt, comprehension and the obligation to comply with the policy at the completion of training. The signed acknowledgement shall be forwarded to the officer's/agent's duty station for inclusion in the officer's/agent's local personnel file.

¹ Border Patrol Agents should refer to Appendix VIII.

6. Authorized Officers/Agents shall complete the Use of Force Policy training course on the Virtual Learning Center (VLC) as well as have the opportunity to discuss the new Use of Force Policy with instructors at their next firearms and intermediate force training date.

Questions regarding the Use of Force Policy that cannot be answered locally may be submitted in writing to the Director of the Use of Force Policy Division (UFPD). UFPD may issue periodic clarifications of the Use of Force Policy based upon the questions submitted.

7. Authorized Officers/Agents shall, at a minimum, review the concepts and responsibilities of the Use of Force Policy annually, and shall be given a reasonable opportunity to read the Use of Force Policy during duty hours.
8. Officers/agents who encounter use of force issues in the field that are not addressed in this policy are expected to exercise reasonable judgment.
9. As changes to this policy occur, additional acknowledgement forms shall be issued, signed and collected, as required by the Director of UFPD.
10. Any and all actions taken in performance of the duties and responsibilities of the CBP Use of Force Policy that have an impact on bargaining unit employees will be taken in accordance with the terms of the applicable collective bargaining agreement. Nothing in this Policy is to be interpreted to invalidate or interfere with the existing rights and protections of employees under the law and under applicable collective bargaining agreement(s).

Chapter 2: Authority to Carry Firearms

A. Authorities

The authority to carry a CBP-authorized firearm is provided by 8 U.S.C. § 1357, 8 C.F.R. § 287.8 and § 287.9, and 19 U.S.C. § 1589(a).

B. Authorized Officers/Agents

To carry firearms, Authorized Officers/Agents must:

1. Be designated to carry a firearm, individually or as a class, by the Commissioner of CBP;

A component Assistant Commissioner (AC) may request an individual designation by submitting a written justification requesting this designation to the Commissioner, through the AC of the Office of Training and Development (OTD). This justification shall be forwarded to the Director of UFPD for comment prior to submission to the Commissioner.


2. Be issued a badge and credentials to bear firearms;
3. Have successfully completed the basic law enforcement training required as a condition of employment with CBP, including basic firearms training, or have successfully completed a substantially equivalent training program approved by the AC of OTD and the Director of UFPD;
4. Maintain proficiency, as set forth in Chapter 6 of this *Policy Handbook*, in the use of firearms they are permitted to carry and adhere to the provisions of the policy governing the use of force; and
5. Meet all other requirements and standards set forth in the Use of Force Policy.


C. Carriage of Firearms

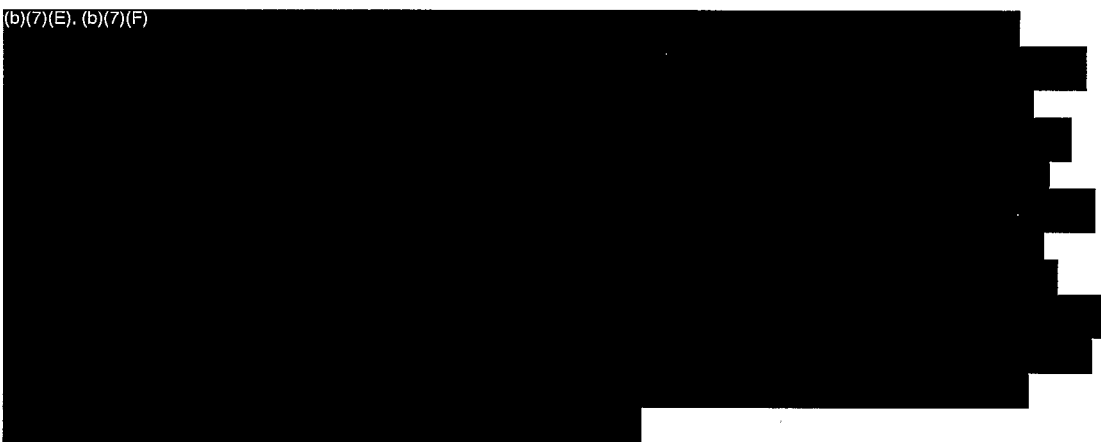
A component AC may request an individual designation for CBP personnel to carry privately owned CBP-authorized firearms by submitting a written justification requesting this designation to the Commissioner, through the AC of OTD. This justification shall be forwarded to the Director of UFPD for comment prior to submission to the Commissioner. Absent a specific individual or group designation from a component AC, new requests for CBP personnel to carry privately owned, CBP-authorized firearms shall not be approved.


1. Authorized Officers/Agents, when carrying a CBP-authorized firearm(s), are required to carry their CBP badge and credentials authorizing them to bear firearms. This requirement does not apply to officers/agents involved in an


authorized undercover operation or when approved in writing by the officer's/agent's immediate supervisor.

2. Authorized Officers/Agents are required to carry a CBP-authorized handgun during duty hours in the performance of their normal duties, (b)(7)(E), (b)(7)(F)
- 

3. (b)(7)(E), (b)(7)(F)
- 

4. (b)(7)(E), (b)(7)(F)
- 

5. Authorized Officers/Agents are authorized to carry a CBP-approved handgun off-duty subject to the provisions of this policy. (b)(7)(E), (b)(7)(F)
- 

6. Based on the duty assignment, Authorized Officers/Agents may be issued shoulder-fired weapons (SFWs) as determined necessary by the operational component ACs (or their designees). (b)(7)(E), (b)(7)(F)
- 

7. (b)(7)(E), (b)(7)(F) [REDACTED]
8. (b)(7)(E), (b)(7)(F) [REDACTED]
9. Authorized Officers/Agents shall carry their CBP-authorized (b)(7)(E), (b)(7)(F) [REDACTED]
[REDACTED] fficers/agents are authorized to use only
CBP-issued ammunition for carry, whether on or off-duty.
10. Authorized Officers/Agents, when in uniform and on-duty, (b)(7)(E), (b)(7)(F) [REDACTED]
[REDACTED]
11. Authorized Officers/Agents (b)(7)(E), (b)(7)(F) [REDACTED]
[REDACTED]
12. Only Authorized Officers/Agents may discharge a CBP-issued firearm, except during CBP-authorized training, events or activities and military and/or law enforcement joint operations.

D. Flying Armed on a Commercial Aircraft

1. (b)(7)(E), (b)(7)(F) [REDACTED]
[REDACTED]
2. (b)(7)(E), (b)(7)(F) [REDACTED]
[REDACTED]
3. (b)(7)(E), (b)(7)(F) [REDACTED]
[REDACTED]
(b)(7)(E), (b)(7)(F) [REDACTED]
[REDACTED]

(b)(7)(E), (b)(7)(F)

4. (b)(7)(E), (b)(7)(F)

5. (b)(7)(E), (b)(7)(F)

6. The TSA and FAA do not permit any chemical agents in the cabin of a commercial aircraft. As provided by 49 C.F.R. § 175.10, self-defense spray (mace or pepper spray) may be carried in checked baggage, provided the container does not exceed four (4) fluid ounces and has a positive means to prevent accidental discharge. (b)(7)(E), (b)(7)(F)

E. Private Citizens

Nothing in this policy shall be construed as interfering with the right of Authorized Officers/Agents as private citizens to carry a personally-owned firearm for personal use. Officers/agents must comply with all applicable federal, state, and local laws when exercising this right.

F. Alcohol and Medication

1. Authorized Officers/Agents are prohibited from consuming alcoholic beverages while carrying CBP-authorized weapons, (b)(7)(E), (b)(7)(F)

2. Authorized Officers/Agents shall not carry a firearm while taking medication that impairs their judgment and/or ability to safely carry, control or use a firearm.

G. Revocation of Authorization to Carry Firearms

1. The authority to carry a firearm can be revoked by the CBP Commissioner AC of an operational component or the appropriate RO.

2. Temporary revocations will be based on reliable evidence. Permanent revocations will be based on substantiated evidence.
3. Credentials may be temporarily or permanently revoked (and be subsequently reinstated) by the CBP Commissioner, AC of an operational component or the appropriate RO.
 - a. The revocation of credentials results in the automatic revocation of the authorization to carry a CBP-issued firearm.
 - b. The revocation of the authorization to carry a firearm does not automatically result in the revocation of credentials.
4. Situations that warrant the temporary or permanent revocation of the authority to carry firearms and/or credentials include, but are not limited to:
 - a. The failure to demonstrate proficiency with firearm(s) or other mandatory training requirements without an authorized exception as outlined in Chapter 6B. All such revocations must be accomplished in strict accordance with the procedures set forth therein;
 - b. Medical conditions that impede the safe and effective use of a firearm. In such circumstances the Authorized Officers/Agents may have the authorization to carry a firearm temporarily revoked. A medical evaluation in accordance with regulations must take place before a permanent revocation occurs;
 - c. Evidence of substance abuse. Such determinations will be made in accordance with the CBP Drug Free Workplace Policy;
 - d. Evidence of the commission of a felony;
 - e. Evidence of the commission of an act of domestic violence;
 - f. Evidence of unlawful violent behavior;
 - g. Evidence of serious breaches of CBP integrity or security policies;
 - h. Evidence of a credible threat to use a firearm to commit a crime; and/or
 - i. Any conduct, which is in violation of applicable federal law, that meets the criteria outlined in Section 7 below.
5. In addition to the examples listed above, the appropriate RO may revoke the authority to carry a CBP-issued firearm when the revocation is in the best interests of CBP and/or the officer/agent. Such authority will be reasonably exercised.

6. (b) (2) [REDACTED]
7. (b) (2) [REDACTED]
8. When the authority to carry firearms is permanently or temporarily revoked, officers/agents shall not perform assignments that normally require the carriage of a firearm. Permanent revocation of firearms and/or credentials may be grounds for reduction in grade, reassignment or removal, as determined appropriate by CBP.
9. (b) (2) [REDACTED]
10. (b) (2) [REDACTED]
11. (b) (2) [REDACTED]

H. Domestic Violence Convictions (Lautenberg Amendment)

1. Pursuant to 18 U.S.C. § 922(g)(9), it is illegal for anyone, including a federal law enforcement officer, who has been convicted of a misdemeanor crime of domestic violence to possess any firearm or ammunition.

2. It is the responsibility of any Authorized Officer/Agent arrested for, or charged with, a crime of domestic violence to promptly report their arrest or charge to their immediate supervisor. During the period pending disposition of the domestic violence case, officers/agents shall not be permitted to possess or carry any CBP-issued firearms or ammunition.
 3. The Authorized Officer's/Agent's supervisor shall ensure that all CBP-issued firearms and ammunition are immediately turned over to the PFI for storage pending final disposition of such a domestic violence arrest or charge.
- I. Protective Orders Governing an Officer/Agent
1. Pursuant to 18 U.S.C. § 922(g)(8), it is illegal for anyone, including a federal law enforcement officer, who is subject to a court order (restraining order, protective order, etc.) to possess any firearm or ammunition.

Chapter 3: Authorizing and Approving Officials

A. Responsible Officials (ROs)

1. A RO is responsible for all aspects of the CBP use of force program as it relates to the offices and personnel under his or her supervision, and for ensuring compliance with the CBP Use of Force Policy by all officers/agents within his or her area of responsibility.
2. Each RO has primary responsibility for inventory control, maintenance, and security of all CBP use of force equipment within his or her area of responsibility.
3. Each RO shall designate a Primary Firearms Instructor/Inventory Officer (PFI), a Primary Intermediate Force Instructor (PIFI) and/or Co-Authority (COA) to manage the firearms and ammunition program within his or her area of responsibility. These designees are responsible for overseeing the shipment, receipt, issuance and the periodic inventory of use of force equipment.
4. The ROs are:
 - a. Chief, Office of Border Patrol (OBP);
 - b. Assistant Commissioner, Office of Field Operations (OFO);
 - c. Assistant Commissioner, Office of Air and Marine (OAM);
 - d. Assistant Commissioner, Office of Internal Affairs (IA);
 - e. Assistant Commissioner, Office of Training and Development (OTD);
 - f. Chief Patrol Agents (CPA);
 - g. Directors, Field Operations (DFO);
 - h. Directors, Air Operations and Marine Operations (DAO, DMO);
 - i. Division Directors, Internal Affairs (IA);
 - j. Division Directors, Office of Training and Development (OTD); and
 - k. Other officials designated in writing by the Commissioner.

B. Director of UFPD

1. The Director of UFPD has primary responsibility to:
 - a. Direct all aspects of the CBP use of force and firearms program, including intermediate force equipment²;
 - b. Direct the development and implementation of CBP use of force and firearms policies and procedures;
 - c. Direct the technical and evaluation aspects of the CBP use of force and firearms programs;
 - d. Direct the development of the training curriculum and the training of CBP firearms instructors, armorers, defensive tactics instructors and other related training;
 - e. Direct the development and presentation of training for all CBP Special Response Teams (SRTs) and other related training;
 - f. Direct the collection and storage of qualification and instructor certification records;
 - g. Establish the procedures for the selection, training, and certification of armorers, firearms instructors, intermediate force instructors, and other advanced instructors;
 - h. Oversee all CBP armories and direct the maintenance, repair, and alteration of all CBP-issued and authorized firearms; and
 - i. Oversee the control and accountability of all firearms, ammunition, ordnance, intermediate force devices and body armor.
2. The Director of UFPD is responsible for overseeing the acquisition of all CBP-issued firearms, ammunition, ordnance, intermediate force equipment and body armor. No CBP component or individual officer/agent or employee is authorized to solicit, accept or otherwise acquire or dispose of CBP-issued firearms, ammunition, ordnance, intermediate force equipment and/or body armor outside of authorized CBP equipment procurement and distribution procedures for any CBP purpose or operation without the written consent of the Director of UFPD.

² As used in this Policy, the term "intermediate" when used to describe (among other things) devices, equipment and force, has the same meaning as the term "non-deadly" used in the same context at 8 C.F.R. § 287.8 and § 287.9.

C. The UFPD Incident Review Committee

1. The UFPD Incident Review Committee is authorized to review any incident in which use of force is employed, whether by a CBP employee or directed at such an employee. The primary role of this Committee is to allow qualified experts an opportunity to perform an internal analysis of these incidents. Accordingly, this Committee will not make any recommendations concerning disciplinary or adverse actions.

Through a deliberative process, the Committee will identify trends that may impact the use of force procedures and policies employed by CBP to protect its personnel, property and operations.

2. The UFPD Incident Review Committee members are:
 - a. The Director of UFPD, who serves as committee chair; and
 - b. A representative of each operational component or the RO's designee.
3. The UFPD Incident Review Committee shall meet at the discretion of the Director of UFPD, when sufficient use of force data is assembled to warrant the convening of the Committee.

D. Primary Firearms Instructor (PFI)

The PFI is designated by the RO to perform the following administrative functions as required:

1. Coordinate the scheduling of other Firearms Instructors (FIs) and/or Range Safety Officers (RSOs) to assist with firearms training, familiarization and qualification.
2. Train and verify that RSOs are prepared to perform their duties as prescribed by the Director of UFPD. The purpose of the RSO program is to enhance and maintain safety on the firing line during routine structured firearms training. At no time shall an RSO be used in lieu of a certified firearms instructor for conducting advanced tactical courses of fire or for teaching new weapon systems.
3. Oversee the shipment, receipt, transfer and issuance of firearms at the location they are assigned within the CBP firearms information tracking system and conduct periodic physical inventories of weapons, ammunition and related equipment and verify the results in the tracking system.
4. Input qualification scores into the CBP firearms information tracking system or ensure input either by FIs or designated administrative personnel.

E. Primary Intermediate Force Instructor (PIFI)

The PIFI is designated by the RO to perform the following administrative functions as required:

1. Coordinate the scheduling of other CBP Intermediate Force Instructors (IFIs) and to assist with intermediate force training, intermediate force device familiarization and certification.
2. Train and verify that the IFIs are prepared to perform their duties as prescribed by the Director of UFPD. The purpose of the IFI program is to enhance and maintain a safe environment during routine, structured intermediate force training. Only CBP-certified instructors shall be used to conduct approved, formalized certification/re-certification training.
3. Oversee the shipment, receipt, transfer and issuance of intermediate force devices at the location they are assigned and conduct periodic inventories of stored devices, training aids and related equipment.
4. Input assigned Training Records and Enrollment Network (TRAEN) code(s) into TRAEN for all appropriately qualified officers/agents.

Chapter 4: Use of Force

A. General Guidelines

1. Only that force which is both reasonable and necessary may be used in any given situation. Reasonable means that there are objective reasons that justify the degree of force to be used in the given situation, up to and including deadly force. The "reasonableness" of a particular use of force is judged from the perspective of a reasonable officer/agent on the scene, and its calculus must embody an allowance for the fact that law enforcement officers/agents are often forced to make split-second decisions about the amount of force necessary in a particular situation. Necessary means that some force is required to carry out one's duties as a law enforcement officer/agent.
2. Authorized Officers/Agents are to act in a professional manner and therefore shall not carelessly or unnecessarily display firearms and/or intermediate force devices. The authority to carry this equipment carries with it an obligation and responsibility to exercise discipline, restraint and good judgment.
3. The *DHS Commitment to Race Neutrality in Law Enforcement Activities* is contained in Appendix III and is applicable to all situations where officers/agents exercise their use of force authority.
4. Although the wording may be slightly different in the regulations set forth at 8 C.F.R. § 287.8 and § 287.9 (first promulgated by the former Immigration and Naturalization Service) CBP has determined that these regulations, as they apply to Authorized Officers/Agents, are consistent with the intent of the Use of Force Policy.

B. CBP Use of Force Continuum

1. The CBP Use of Force Continuum is a force model used to illustrate the levels of force an Authorized Officer/Agent may need to utilize to gain control over a subject. The CBP Use of Force Continuum is set forth in Appendix V.
2. It is not necessary to mechanically apply every step of the CBP Use of Force Continuum. An officer/agent may have to rapidly escalate or de-escalate through the Continuum, depending on the totality of the circumstances present.

Totality of circumstances refers to all factors existing in each individual case. These factors include, but are not limited to, the level of training, mental attitude, strength, age, the size of the officer/agent and the size of the subject. Additional factors may include the weapon(s) involved, presence of other officers/agents, subjects or bystanders and environmental conditions. In some situations, the proper initial response might be the application of deadly force.

3. Due to the unique circumstances and individual differences present in every potential confrontation, different officers/agents may have different responses to the same situation, all of which may be reasonable and necessary.

C. Use of Deadly Force

1. The *Department of Homeland Security Policy on the Use of Deadly Force* governs the use of deadly force by all DHS officers/agents and employees. The complete DHS policy is contained in Appendix II.
2. Authorized Officers/Agents may use deadly force only when necessary, that is, when the officer/agent has a reasonable belief that the subject of such force poses an imminent danger of death or serious physical injury to the officer/agent or to another person.
3. If feasible, and if to do so would not increase the danger to the officer/agent or others, a verbal warning to submit to the authority of the officer/agent shall be given prior to the use of deadly force.
4. Discharging a firearm at a person shall be done only with the intent of stopping that person from continuing the threatening behavior that justifies the use of deadly force.
5. Deadly force is not authorized solely to prevent the escape of a fleeing subject. Deadly force against a fleeing subject is only authorized, in accordance with the paragraphs above, if there is probable cause to believe that:
 - a. The subject has inflicted or threatens to inflict serious physical injury or death; and
 - b. The escape of the subject poses an imminent threat of death or serious physical injury to the officer/agent or to another person.
6. Firearms shall not be fired solely to disable vehicles, vessels, aircraft or other conveyances. The only exception is that Authorized Officers/Agents, when conducting maritime law enforcement operations, may use specifically authorized firearms and ammunition to disable moving vessels or other maritime conveyances.
7. Deadly force may be used against the driver or other occupant of a moving motor vehicle, vessel, aircraft or other conveyance only when:
 - a. The officer/agent has a reasonable belief that the subject of such deadly force poses an imminent danger of death or serious physical injury to the officer/agent or to another person and the hazard of an uncontrolled conveyance has been taken into consideration before firing; or

- b. The public safety benefits of using deadly force outweigh the risks to the safety of the officers/agents and/or of other persons.
8. Deadly force may be directed against dangerous or vicious animals in self-defense or in defense of others. Deadly force may also be used to euthanize an animal that appears to be seriously injured or diseased. In doing so, the officer/agent must be able to justify the use of deadly force to prevent the animal from additional suffering, eliminate a public health risk or to ensure public safety.
9. The use of firearms to discharge chemical munitions or specially designed breaching munitions against structures does not constitute the use of deadly force, unless it is reasonable to believe that the use of such force may place individuals at substantial risk of death or serious physical injury.
10. Warning shots are not permitted, except as follows:
- a. Warning shots may be used by Authorized Officers/Agents conducting maritime law enforcement operations, (b)(7)(E), (b)(7)(F)
- b. Warning shots may be used by Authorized Officers/Agents conducting aviation law enforcement operations (b)(7)(E), (b)(7)(F)
11. In maritime situations where Authorized Officers/Agents believe that they are in imminent danger of being rammed, and the ramming or attempt to ram is believed to be intentional, CBP personnel can invoke deadly force in self-defense in the circumstances set forth below and in Chapter 8. (b)(7)(E), (b)(7)(F)
- a. (b)(7)(E), (b)(7)(F)
- b. (b)(7)(E), (b)(7)(F)
- (1) (b)(7)(E), (b)(7)(F)
- (2) (b)(7)(E), (b)(7)(F)
- c. (b)(7)(E), (b)(7)(F)

D. Use of Intermediate Force³

Authorized Officers/Agents shall be trained in alternative methods and tactics for handling resisting subjects that may be used when the use of deadly force is not appropriate. Such alternative methods and tactics include physical tactics, such as hand-to-hand combat, and weapons such as the Collapsible Straight Baton (CSB) or Oleoresin Capsicum (OC) spray.

1. Intermediate force is defined as that force that is neither likely nor intended to cause death or serious physical injury.
2. Authorized Officers/Agents may use intermediate force when reasonable and necessary to:
 - a. Protect themselves or other persons from bodily harm;
 - b. Restrain or subdue a resisting detainee or subject;
 - c. Make an arrest;
 - d. Prevent escape; and/or
 - e. Enforce compliance with a lawful order.

E. Emergency Situations

In threatening, emergent situations, Authorized Officers/Agents are authorized to use any weapon available, appropriate to the level of force required, for self-defense or the defense of another person. However, this statement does not authorize the carrying of any weapon for duty use that is not authorized and listed in Appendix IV.

F. Employee Assistance Program (EAP)

1. It is CBP policy to strongly encourage the use of EAP.
2. A supervisor shall advise the employee that the EAP is available for consultation in the event of a violent confrontation involving an Authorized Officer/Agent.

³ As noted previously, as used in this Policy, the term "intermediate" when used to describe (among other things) devices, equipment and force, has the same meaning as the term "non-deadly" used in the same context at 8 C.F.R. § 287.8 and § 287.9.

3. When an Authorized Officer/Agent uses deadly force, either on or off-duty, which results in death or serious physical injury to a person, the officer/agent shall (after providing incident information in accordance with the requirements of Chapter 5.A.2.d.(1-8))^{(b) (2)}



4. The RO shall ensure that an EAP counselor is available for consultation with all officers/agents involved in a deadly force incident. This service is confidential and is not part of the investigative process; its sole purpose is to assist the employee in dealing with the traumatic incident.
5. If an employee avails himself/herself of EAP services under Section 4, the employee shall be granted duty time consistent with operational requirements.
6. While on Administrative Leave following a shooting incident, officers/agents who are compensated with Administratively Uncontrollable Overtime or Law Enforcement Availability Pay shall continue to receive overtime pay and will be credited with excludable days in accordance with existing laws, government-wide regulations, policies and practices.

Chapter 5: Use of Force Reporting Requirements

Important Note: In order to understand and properly comply with the reporting and investigative procedures and responsibilities in this chapter, it must be read, interpreted and applied as a whole. Compliance with the chapter requires an understanding and proper application of all provisions of this chapter and applicable laws and collective bargaining agreements as an overall process.

A. Use of Deadly Force

1. Local law enforcement agencies may investigate use of force incidents, including those resulting in serious bodily injury or death, occurring within their territorial jurisdictions. Their investigative responsibility does not diminish because one of the participants is a federal employee. Accordingly, a CBP employee involved in a critical incident should anticipate an investigation by local authorities.
2. Whenever an Authorized Officer/Agent uses deadly force, whether on or off-duty, the incident **must** be reported by a supervisor to CBP Headquarters. (b)(2), (b)(7)E
[REDACTED]
- a. Any use of intermediate force that results in serious physical injury or death shall follow the procedures for reporting the use of deadly force.
- b. The act of establishing a grip, drawing a weapon or pointing a weapon does not constitute the use of deadly force.
- c. Any Authorized Officer/Agent who participates in or observes a reportable use of deadly force incident shall orally report the incident to a supervisor in accordance with the requirements of this chapter.
- d. (b)(2), (b)(7)E
[REDACTED]
(b)(2), (b)(7)E
[REDACTED]
(1) (b)(2), (b)(7)E
[REDACTED]
(2) (b)(2), (b)(7)E
[REDACTED]

(3) (b)(2), (b)(7)E [REDACTED]

(4) (b)(2), (b)(7)E [REDACTED]

(5) (b)(2), (b)(7)E [REDACTED]

(6) (b)(2), (b)(7)E [REDACTED]

(7) (b)(2), (b)(7)E [REDACTED]

(8) Any other information that is needed to assure that the operational responsibilities of CBP related to the security of human life and CBP equipment are properly carried out.

3. (b)(2), (b)(7)E [REDACTED]

4. (b)(2), (b)(7)E [REDACTED]

a. Incidents involving CBP personnel detailed/assigned to a Field Office (FO), Border Patrol Sector (BPS), Air and Marine Branch (AMB), or any subordinate office, shall be reported via the established chain of command.

b. Incidents involving CBP personnel detailed/assigned to a FO, BPS or AMB activity that operate directly under the jurisdiction of CBP Headquarters, BORTAC, or CBP academies, shall be reported via the established chain of command in the geographic jurisdiction where the incident occurred. The RO shall also notify the detailed personnel's permanent command element of a reportable use of deadly force incident involving one or more of their personnel.

c. (b)(2), (b)(7)E [REDACTED] e

(b)(2), (b)(7)E

- d. The RO assumes responsibility for the employee(s) involved as if the personnel were permanently assigned within the RO's jurisdiction.

e. (b)(2), (b)(7)E

f. (b)(2), (b)(7)E

5. (b)(2), (b)(7)E

- a. In any use of force incident where there is a death or serious injury as a result of actions taken by a CBP Officer, Agent or employee, the RO shall ensure that the incident has been reported to the law enforcement authorities having jurisdiction over the investigation.

- b. Until the incident is resolved, the RO shall be responsible for responding to requests for information about the incident from the public, the media, and other agencies with a "need to know," after coordinating such information releases with the Office of Public Affairs.

c. (b)(2), (b)(7)E

- d. When an injured or diseased animal is euthanized by an Authorized Officer/Agent, the RO may limit the extent of the investigation necessary, with the concurrence of the respective DHS investigative entities. This decision should be based on reasonable facts and belief that the action taken was

prudent, appropriate and justified. If any doubt exists as to the need to have euthanized the animal, a full investigation should be completed.

- e. Upon completion of the local CBP investigation of the incident, the RO shall send a copy of the final report to the UFPD Incident Review Committee (IRC).
- 6. Upon receipt of a report of a use of deadly force incident, (b) (7)(E) [REDACTED]
- 7. (b) (7)(E) [REDACTED]

B. Investigation of Reportable Use of Deadly Force Incidents

1. Responsibility of ROs:

- a. In any incident where a law enforcement agency other than CBP has the primary investigative jurisdiction, the RO shall ensure that the following actions are taken until contact with the responsible law enforcement agency has been made:
 - (1) (b) (7)(E) [REDACTED]
 - (2) Ensure that medical attention is provided for any individual injured;
 - (3) Preserve the use of deadly force incident scene and all relevant evidence;
 - (4) Identify witnesses; and
 - (5) Exchange information with other law enforcement investigative agencies and advise them of the desire of CBP to maintain liaison during the investigation.
- b. Following contact with the law enforcement agency with primary investigative jurisdiction (or through DHS/CBP channels if DHS/CBP has primary jurisdiction):
 - (1) The RO is responsible for the completion of the local CBP investigation if a declination is received from the relevant DHS investigative entities. Absent a declination from the relevant DHS investigative entities, the RO may initiate a parallel secondary investigation, but the investigation must be coordinated with the entity with primary investigative jurisdiction to ensure procedural continuity. In incidents involving personnel from more than one CBP component, the responsibility to conduct the investigation shall be agreed upon among all ROs with officers/agents involved in the incident.

(2) The RO may immediately notify a subordinate official of the incident and direct him/her to initiate a local CBP investigation of the incident.

(3) (b) (7)(E) [REDACTED]

(a) (b) (7)(E) [REDACTED]

(b) (b) (7)(E) [REDACTED]

(c) (b) (7)(E) [REDACTED]

c. Upon completion of the local CBP investigation of the incident, the RO shall review all final investigative reports and the recommended disposition of the incident.

C. Incident Investigation

1. Upon receipt of declination from the relevant DHS investigative entities, the RO shall direct designated investigative personnel to initiate an investigation. The investigative personnel shall:


a. (b)(2), (b)(7)(E) [REDACTED]

b. (b)(2), (b)(7)(E) [REDACTED]

c. (b)(2), (b)(7)(E) [REDACTED]

d. (b)(2), (b)(7)(E) [REDACTED]


(b)(2), (b)(7)E




e. The designee shall also direct supervisory personnel present at the scene to:

- (1) Remind involved CBP employees of their rights to Union representation and of their Constitutional rights (including protections against self-incrimination and the right to have an attorney represent them during all phases of the investigation);
- (2) Ensure that all CBP employees who are involved in the incident have been identified and advised that they will be interviewed by the investigating officer(s)/agent(s) and that they are to remain on-duty until the initial interview has been completed or they are released by the investigative team supervisor;

(3) (b)(2), (b)(7)E

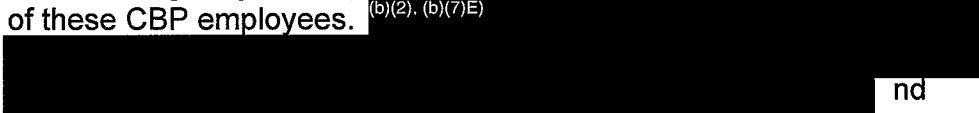


(4) (b)(2), (b)(7)E



- (5) Ensure that supervisors and/or investigators are aware that employees who are involved in a shooting and/or any deadly force incident are prohibited from making a written statement regarding the incident;

Written statements regarding the incident shall be prepared by the local CBP investigating officer(s)/agent(s) and shall be based upon an interview of these CBP employees. (b)(2), (b)(7)E



nd

- (6) Assume on-scene responsibility for media contacts and prevent media disruption of CBP activities at the scene.

f. (b)(2), (b)(7)E

g. (b) (7)(E)

h. Ensure that any use of force and/or officer safety issues that are identified during the investigation (e.g., equipment, training, tactics or policy) are promptly brought to the attention of UFPD.

D. CBP Personnel Involved in a Use of Deadly Force Incident

1. (b)(2), (b)(7)E

2. CBP's Drug-Free Federal Workplace Program – Post-incident drug testing shall be required when there is a reasonable suspicion that the actions of the officer/agent were the result of illegal drug use. The decision to require post-incident testing must be based on articulable facts, evidence and circumstances and be undertaken in accordance with the standards and procedures documented in Chapter 5, Part C of the *U.S. Customs Service Drug-Free Federal Workplace Program* (CIS HB 51200-01A), dated April 2002.

E. Discharge of a Firearm

1. (b) (7)(E)

All reportable firearms discharges shall be reported to (b)(2), (b)(7)E

Reportable incidents are defined as:

- a. Any incident that involves the discharge of a firearm by an Authorized Officer/Agent, either intentional or unintentional, which occurs under the following circumstances:
 - (1) While on duty (except for intentional discharges which occur during firearms training, practice, or qualification, and do not cause any injury to a person or animal, or damage to private, public, or government property); or
 - (2) While off duty, and causes any injury to any person, or any damage to either private, public, or government property in violation of any law or ordinance, or causes an investigation by any law enforcement agency; or
 - (3) At any time, regardless of the Authorized Officer's/Agent's duty status, and regardless of the location or outcome of the incident, when a CBP-issued or approved firearm is, or reasonably appears to be, discharged in an unsafe or reckless manner due to impairment caused by the consumption of alcohol or another drug.
 - b. Any incident which involves the discharge of a CBP-issued firearm by any person other than an Authorized Officer/Agent, and causes any injury to any person, or any damage to any private, public, or government property in violation of any law or ordinance, or causes an investigation by any law enforcement agency;
 - c. Any incident that involves the discharge of a firearm as an act of assault against any Authorized Officer/Agent, or employee, and the assault is, or reasonably appears to be, related to that officer's/agent's CBP employment; or
 - d. Any incident that involves the discharge of a firearm by a law enforcement officer other than an Authorized Officer/Agent, when the discharge occurs during multi-agency operations involving CBP personnel.
2. After any discharge resulting in personal injury or property damage where a firearm malfunction is suspected, ^{(b) (7)(E)} [REDACTED]

When an officer/agent is required to relinquish his or her CBP-issued firearm, but the authority to carry a firearm has not been revoked, the officer/agent shall promptly be provided with:

- a. A replacement firearm;
 - b. (b) (7)(E) [REDACTED]
 - c. (b) (7)(E) [REDACTED]
 - d. (b) (7)(E) [REDACTED]
3. To send a firearm to the UFPD facility, (b) (7)(E) [REDACTED]
 4. When an unintentional discharge occurs and the officer/agent has any reason to believe that the firearm has malfunctioned, the firearm must be immediately sent to the UFPD facility for examination.
 5. A shooter-induced unintentional discharge in which there is no personal injury or property damage, and for which the officer/agent acknowledges responsibility, does not require the firearm be sent to the UFPD facility. Post-incident safety and function remedial training shall be provided and documented by the local FI. The documentation shall be included in the incident investigation file.

F. Reporting Use of Intermediate Force

1. Verbal Notification Procedures:

Any incident that results in physical contact with intermediate force devices must be reported orally to a supervisor. (b) (7)(E) [REDACTED]

- a. (b) (7)(E) [REDACTED]
- b. (b) (7)(E) [REDACTED]
- c. (b) (7)(E) [REDACTED]
- d. (b) (7)(E) [REDACTED]

2. Written Notification Procedures:

- a. The supervisor on-duty shall submit a preliminary written report (b) (7)(E) [REDACTED]

b. CBP supervisors shall send reports through their respective chains of command. Copies of the written reports shall be sent to the appropriate AC and to the Director of UFPD (b) (7)(E) [REDACTED]

c. Authorized Officers/Agents shall report incidents involving the use of intermediate force (not resulting in serious injury or death) to (b)(2), (b)(7)(E) [REDACTED]

3. Special Considerations:

Before fulfilling reporting requirements in this section, Authorized Officers/Agents shall offer medical attention to any person who claims or appears to be injured.

G. Intermediate Force – Serious Physical Injury or Death

Any use of force that results in serious physical injury or death shall follow the report procedures described in Chapter 5 for reporting the use of deadly force.

Chapter 6: Use of Force Proficiency and Training

A. Demonstration of Firearms Proficiency

1. All Authorized Officers/Agents who carry a CBP-authorized firearm(s), on or off-duty, must maintain an acceptable level of proficiency. (b)(2), (b)(7)E

[REDACTED]

2. The RO or his/her designee shall ensure that officers/agents demonstrate proficiency with additional firearms needed to meet operational requirements (e.g., a rifle, shotgun, etc.). Authorized Officers/Agents who cannot demonstrate proficiency with such firearm(s) will not be allowed to carry such types of firearm(s), but this shall not affect their ability to carry their CBP-issued and/or CBP-authorized handgun(s).

3. (b)(2), (b)(7)E

4. (b)(2), (b)(7)E

5. (b)(2), (b)(7)E

- a. (b)(2), (b)(7)E

- b. (b)(2), (b)(7)E

- c. (b)(2), (b)(7)E


- d. (b)(2), (b)(7)E

- e. (b)(2), (b)(7)E

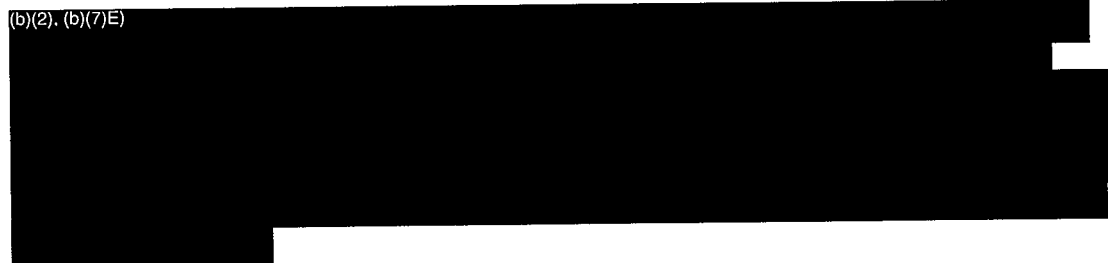
6. The quarter timeframes referenced in the proficiency requirements are:
 - a. First Quarter - October through December;
 - b. Second Quarter - January through March;
 - c. Third Quarter - April through June; and
 - d. Fourth Quarter - July through September.
7. When an Authorized Officer/Agent fails to demonstrate proficiency with any authorized firearm, the officer/agent loses authorization to carry that firearm.

In instances where an Authorized Officer/Agent is unable to demonstrate the required level of proficiency with a shoulder-fired or specialized weapon, and the authority to carry such weapon is revoked, the officer/agent shall not be assigned to duties that normally require the carrying of such weapon(s). However, if the officer/agent is qualified to carry a handgun and is assignable to duties where the carrying of a shoulder-fired or specialized weapon is not required, the officer/agent shall be assigned to those duties.

(b)(2), (b)(7)E



8. (b)(2), (b)(7)E



9. Each officer/agent must complete the night fire or low-light familiarization course of fire, approved by the Director of UFPD, on an annual basis (sunglasses or similar devices may not be used to simulate night or reduced light conditions).
10. Managers/supervisors are responsible for planning schedules to ensure that Authorized Officers/Agents are able to participate in required training and proficiency demonstration.

11. Officers/agents are responsible for planning their activities to ensure that they participate in required training and proficiency demonstration.
12. If an officer/agent is detailed to another duty station and will miss firearm(s) qualification at their permanent duty station, the officer/agent shall notify managers/supervisors at the temporary duty station of his or her need to qualify during that quarter.

13. (b) (7)(E)

B. Unable to Participate

1. Authorized Officers/Agents who are unable to participate in firearms and/or intermediate force device qualifications due to an authorized absence shall be excused from such requirement(s) in accordance with the provisions of this subsection. (b) (7)(E)

An authorized absence includes a detail away from an officer's/agent's official duty station, any type of approved leave, or compensatory time off.

Officers/agents who are excused under these circumstances may continue to carry a firearm and/or intermediate force device.

Make-up qualifications should be scheduled in the same quarter as the regular qualification. Officers/agents who are unable to attend a make-up qualification due to an excused absence shall be excused from the requirement to qualify for that quarter.

2. (b) (7)(E)

(b) (7)(E)

(b) (7)(E)

The officer/agent shall be reissued his or her CBP-issued handgun or intermediate force device(s) upon qualifying and demonstrating proficiency.

(b) (7)(E)




3. Officer/Agent on Detail

- a. If an Authorized Officer/Agent is detailed to another duty station and will miss one or more firearms qualification(s) and/or an annual intermediate force device qualification at his or her permanent duty station, the officer/agent shall notify supervisory or management officials at the temporary duty station of his or her need to qualify during that quarter.
- b. If the detailed Authorized Officer/Agent is performing duties that normally require he carrying of a firearm, the RO who is responsible for the officer's/agent's temporary duty station shall make reasonable efforts to provide the means and the opportunity for the officer/agent to qualify during that quarter.
- c. If the detailed Authorized Officer/Agent is performing duties that are routinely performed by officers/agents who do not carry a firearm and/or intermediate force device, the officer may be exempted from the requirement to qualify until he or she returns to his or her permanent duty station.

4. Exemptions to Qualification Requirements

- a. An Authorized Officer/Agent may be granted an exemption to the requirement to participate in quarterly firearms qualifications and/or annual intermediate force device qualifications due to a temporary physical condition which affects the officer's/agent's ability to properly utilize a handgun and/or intermediate force device.

(b)(2), (b)(7)(E)



- b. An exemption shall not be granted for non-physical conditions or mental trauma related to mental illness deemed by a mental health professional to adversely affect the officer's/agent's judgment regarding the use of deadly force. Such mental disability shall require immediate revocation of authority to carry a firearm and intermediate force device.

- c. (b)(2), (b)(7)(E) [REDACTED]
- d. (b)(2), (b)(7)(E) [REDACTED]
- e. (b)(2), (b)(7)(E) [REDACTED]
- f. The authority to grant these exemptions is limited to ROs.
- g. (b)(2), (b)(7)(E) [REDACTED]
- h. (b)(2), (b)(7)(E) [REDACTED]

C. Failure to Qualify

1. An Authorized Officer/Agent who fails to demonstrate proficiency with any authorized firearm shall have his or her authority to carry that type of firearm suspended and shall immediately relinquish such firearm to the Firearms Instructor (FI). (b)(7)(E) [REDACTED]

2. (b)(7)(E) [REDACTED]

(b) (7)(E)

3. (b) (7)(E)

4. An officer/agent who, following remedial training, is unable to demonstrate proficiency with the firearm shall not perform duties that require the carriage of a firearm and may be subject to reassignment or removal.

(b)(2), (b)(7)(E)

If such inability to demonstrate proficiency is for reasons that reasonably appear to be within the officer's/agent's control, he or she may be removed from employment in accordance with applicable laws, government-wide regulations and CBP policies.

D. Firearms Instructors

1. Each RO shall designate a Primary Firearms Instructor (PFI). The PFI may be a supervisor. The PFI shall:
 - a. Manage the firearms training, practice or qualification programs;
 - b. Schedule and direct the other FIs;
 - c. (b) (7)(E)
 - d. Maintain sufficient quantities of supplies to conduct the firearms program;
 - e. Coordinate the scheduling of officers/agents to participate in the required firearms qualifications and all applicable training, including use of force, tactical exercises and other required training;
 - f. Make final determinations regarding proficiency, consistent with the provisions and requirements of this policy; and
 - g. Manage the overall firearms and use of force program within his or her area of responsibility.

NOTE: Operational components may also designate PFI personnel at the Sector or Field Office level to assist the RO in administering the firearms program.

2. (b) (7)(E)

3. The Director of UFPD shall establish the criteria for the selection and certification of an FI. The Director of UFPD shall maintain a record of all certified FIs.

4. All FIs must have successfully completed a CBP/UFPD-approved Firearms Instructor Training Program. FIs must be able to cross-train other CBP operational components.

5. (b) (7)(E)

6. (b) (7)(E)

7. (b) (7)(E)

8. During firearms training, practice or qualification sessions, FIs are responsible for taking all reasonable steps to ensure the safety and security of all personnel and property. They are authorized to remove any person from the range who refuses to comply with safety instructions or otherwise would pose a safety risk.

E. Range Safety Officers

Range Safety Officers (RSOs) are utilized to augment safety requirements on a range during authorized firearms training. They are trained locally using a prescribed program authorized by the Director of UFPD and administered by a FI. Once they complete the program requirements they can act as safety officers during established qualification and familiarization courses of fire.

RSOs do not carry any firearms instructor certification and therefore cannot take the place of certified FIs. A certified FI is required to conduct any and all training that utilizes RSOs.

F. Intermediate Use of Force Proficiency and Training

1. While performing uniformed law enforcement duties, Authorized Officers/Agents who carry firearms are required to carry either OC spray or a CSB (an officer/agent who is certified in both intermediate force devices may choose to carry either or both). Annual re-certification training is mandatory for all armed officers/agents, regardless of their assigned duties (unless one of the exceptions noted in Chapter 6.B apply).
2. ROs shall ensure that a minimum of four (4) hours of Intermediate Use of Force training is conducted during each qualification period. Each such training block may include the annual re-certification on an intermediate force device.
3. (b) (7)(E) [REDACTED]
 - a. (b) (7)(E) [REDACTED]
 - b. (b) (7)(E) [REDACTED]
 - c. (b) (7)(E) [REDACTED]
 - d. (b) (7)(E) [REDACTED]

G. Intermediate Force Device Basic Certification and Remedial Training

1. No Authorized Officer/Agent shall be allowed to carry an intermediate force device until they have successfully completed the initial course of instruction for such device and have been certified in its use.
2. Successful completion/certification in the use of both OC spray and the CSB is required at the basic training academies.
3. Remedial training shall be provided to Authorized Officers/Agents who are unable to demonstrate the required degree of proficiency. Such training shall be no more than eight (8) hours per device to allow the officer/agent to certify or improve their abilities (Border Patrol Agents should refer to Appendix VIII).

H. Intermediate Force Device Re-Certification and Remedial Training

1. Re-certification in the use of intermediate force devices shall be required on an annual basis. If an officer/agent is detailed to another duty station and will miss qualification at their permanent duty station, the officer/agent shall notify managers/supervisors at the temporary duty station of his or her need to qualify during that quarter.

2. Authorized Officers/Agents who are unable to demonstrate an acceptable level of proficiency shall have their authority to carry that authorized intermediate force device suspended until they have demonstrated required proficiency. An Authorized Officer/Agent who fails to demonstrate proficiency with any required intermediate force device shall promptly be scheduled for and attend remedial training with a CBP-certified intermediate force instructor. Remedial training shall be conducted during normal duty hours and begin as soon as practicable after failure to qualify.
3. Remedial training for all Authorized Officers/Agents, including trainees at the CBP basic academies, shall not exceed eight (8) additional hours (Border Patrol Agents should refer to Appendix VIII).
4. An officer/agent who, after completing the remedial training, is still unable to demonstrate the required level of proficiency shall immediately relinquish that authorized intermediate force device to the IFI conducting the remedial training.

(b) (7)(E)



5. An officer/agent who, following the completion of remedial training, is unable to demonstrate proficiency with the intermediate force device shall not be assigned to perform duties that require the carriage of an intermediate force device and may be subject to reassignment or removal from employment.

If such inability to demonstrate proficiency is for reasons that are beyond the officer's/agent's control, he or she may be reassigned to a position that does not require the carrying of an intermediate force device. Such reassignment shall not obligate CBP to pay relocation expenses and shall not involve reassignment to a position which has non-competitive promotion potential beyond the position from which the officer/agent is reassigned.

If such inability to demonstrate proficiency is for reasons that reasonably appear to be within the officer's/agent's control, he or she may be removed from employment in accordance with applicable laws, government-wide regulations and CBP policies.

I. Exposure to Oleoresin Capsicum (OC)

One exposure to OC spray shall be required as part of the basic certification course for Authorized Officers/Agents to carry OC.

1. As part of the basic training at the CBP academies, officers/agents shall be exposed as part of the course of instruction (bargaining unit employees should refer to Appendix VII or VIII).

2. Officers/agents who have already completed the basic academy prior to the effective date of this policy, but who have not been exposed to OC, are not required to be exposed but are required to attend the OC re-certification course and participate in quarterly intermediate force training.

J. Intermediate Force Instructors (IFIs) & Intermediate Force Instructor Trainers

1. Each RO shall designate officers/agents to perform full-time or collateral duties as an IFI.
2. The Director of UFPD shall establish the criteria for the selection, certification and re-certification of IFIs. Such criteria must be reasonable and fairly applied in all selection, certification and re-certification actions. The Director of UFPD shall maintain a record of all certified IFIs.

3. (b) (7)(E)

4. (b) (7)(E)

5. During intermediate use of force training, practice or certification sessions, IFIs are responsible for taking all reasonable steps to ensure the safety and security of all personnel and property. IFIs are authorized to remove any person from the training area who refuses to comply with safety instructions or otherwise would pose a safety risk.

Chapter 7: Intermediate Force Devices

A. Authorization to Use Intermediate Force Devices

1. All Authorized Officers/Agents shall participate in UFPD-approved training for the Collapsible Straight Baton (CSB) and Oleoresin Capsicum (OC) spray. All officers/agents are required to be certified in and carry either OC spray or a CSB while performing uniformed duties.
 - a. An officer/agent who is certified in both intermediate force devices may choose to carry either or both.
 - b. An officer/agent who is only certified in one intermediate force device shall carry that device.
2. Re-certification training shall be required annually as outlined in Chapter 6.F of this policy.
3. In addition, Authorized Officers/Agents who are trained and UFPD-certified in their use may use the following intermediate force devices:
 - a. Chemical agents;
 - b. CSBs of non-standard length;
 - c. Riot batons;
 - d. Munition launchers (e.g. Pepper Ball); and/or
 - e. Other intermediate force devices authorized, in writing, by the Director of UFPD with the concurrence of the operational component ACs.

B. Use of Chemical Agents

1. Officers/agents may use only chemical agents authorized by the Director of UFPD, as listed in Appendix IV. Authorized Officers/Agents shall not carry personally-owned OC devices or chemical agents for official use.
2. UFPD-authorized chemical agents may be used as an intermediate force option to temporarily incapacitate an assailant. They may be used in situations where empty-hand techniques are not sufficient to control disorderly or violent subjects, but where deadly force is not justified.
3. The use of chemical agents must be discontinued after a subject has been subdued or incapacitated.

4. Officers/agents shall conduct decontamination of the subject as soon as it can be safely effected.

C. Chemical Munitions

1. UFPD-authorized and CBP-issued CS (O-Chlorobenzylidenemalononitrile) or OC spray may be used.
2. These chemical munitions may be fired from a compressed air kinetic impact delivery system (or similar device) or from a 12 gauge or 40 mm weapon. (b)(7)(E), (b)(7)(F)
[REDACTED]
3. These chemical munitions shall be used only by officers/agents who have received UFPD-approved training and certification in their use and shall only be used in accordance with such training.

D. Procurement of Chemical Agents/Munitions

(b)(7)(E), (b)(7)(F)

[REDACTED]

E. Storage, Transportation and Issuance of Chemical Agents/Munitions

1. (b)(7)(E), (b)(7)(F)
[REDACTED]
2. Chemical agent/munition inventory control is the responsibility of the RO, and may be delegated to the PFI/PIFI.
3. The TSA and FAA do not permit any chemical agents in the cabin of a commercial aircraft. As provided by 49 C.F.R. § 175.10, self-defense spray (mace or pepper spray) may be carried in checked baggage, provided the container does not exceed four (4) fluid ounces and has a positive means to prevent accidental discharge. Chemical agents carried onboard CBP aircraft shall be carried in accordance with the CBP Air Operations Handbook (AOH).
4. Upon successful completion of the OC certification course, an Authorized Officer/Agent shall be issued an OC device and a holder. Such items shall be replaced as necessary without cost to the officer/agent.
5. Officers/agents are responsible for advising their supervisors when the chemical agents issued to them are approaching the end of their useable life so that they can be replaced prior to their expiration date.

6. Officers/agents are required to turn in expired, damaged, or empty OC spray canisters to the PFI/PIFI for proper disposal in accordance with local Environmental Protection Agency (EPA) and Occupational Safety and Health Administration (OSHA) requirements.

F. Approved Batons

1. Authorized Officers/Agents may use only CSBs authorized by the Director of UFPD, as listed in Appendix IV. Officers/agents may not carry personally-owned batons for official use.
2. Upon successful completion of the CSB certification course, an Authorized Officer/Agent shall be issued a baton (in the length preferred by the officer/agent) and a holder. Such items shall be replaced as necessary without cost to the officer/agent.

G. Procurement of Batons

ROs shall only purchase CSBs through contracts and procedures established by UFPD. Purchase Card purchases of batons are prohibited without written approval from the Director of UFPD.

H. Use of Approved Batons

1. The use of the CSB must be objectively reasonable and necessary based on the totality of circumstances.

2. (b)(7)(E), (b)(7)(F) [REDACTED]
 - a. (b)(7)(E), (b)(7)(F) [REDACTED]
 - b. (b)(7)(E), (b)(7)(F) [REDACTED]
 - c. (b)(7)(E), (b)(7)(F) [REDACTED]
3. (b)(7)(E), (b)(7)(F) [REDACTED]

I. Training in Intermediate Force Techniques, Tactics and Devices

Authorized Officers/Agents must participate on a quarterly basis in intermediate force techniques, tactics and device training conducted by Intermediate Force Instructors. The Director of UFPD shall prescribe appropriate training to meet operational needs or to update skills or knowledge.

J. Reporting Requirements for Use of Intermediate Force Devices

When Authorized Officers/Agents employ an approved intermediate force device in accordance with the Use of Force Continuum (Appendix V) the officer/agent shall report the incident in accordance with the requirements of Chapter 5.

Chapter 8: Aviation and Marine Enforcement

A. General Guidelines

1. Warning shots are not permitted except as follows:

- a. Warning shots may be used by Authorized Officers/Agents (b)(7)(E), (b)(7)(F)

- b. (b)(7)(E), (b)(7)(F)

2. (b)(7)(E), (b)(7)(F)

B. Marine Enforcement

1. Training and Certification

- a. Only those Authorized Officers/Agents who have successfully completed the required training, as mandated by the Director of UFPD, shall be authorized to utilize warning shots and/or disabling fire.
- b. Only ordnance approved by the Director of UFPD, shall be authorized for use in conducting warning and/or disabling shots.
- c. Warning shots and disabling fire shall be deployed with strict adherence to UFPD-approved programs policies, procedures and directives.

2. Warning shots are to be used as a signal only. They are used to attract attention after all other available means of signaling have failed. This conforms to United States and international law, which recognize warning shots across the bow of vessels as legitimate signals.

3. Warning shots pose a potential hazard; therefore, good judgment must be exercised at all times. (b)(7)(E), (b)(7)(F)

Safety shall always be the first consideration when firing warning shots.

4. (b)(7)(E), (b)(7)(F)

5. Use of Disabling Fire

- a. When a pursued vessel fails to comply with an order to stop, and warning shots have been deployed, the CBP Vessel Commander may elect to authorize disabling fire. The deployment of disabling fire must be in strict accordance with UFPD-approved policies, procedures and directives.
- b. The Authorized Officers/Agents must utilize only ordnance authorized by the Director of UFPD, for disabling fire. (b)(7)(E), (b)(7)(F)

6. Defense Against Ramming Attempts

In maritime situations where Authorized Officers/Agents believe that they are in imminent danger of being rammed, and the ramming or attempt to ram is believed to be intentional, CBP personnel can invoke deadly force in self-defense in the circumstances set forth below and in Chapter 4.C. To stop a ramming by using deadly force, the following criteria must be met:

- a. The subject vessel must pose an imminent threat of serious physical injury or death to CBP personnel;
- b. (b)(7)(E), (b)(7)(F)
- (1) (b)(7)(E), (b)(7)(F)
- (2) (b)(7)(E), (b)(7)(F)
- c. (b)(7)(E), (b)(7)(F)

C. Aviation Enforcement

1. Training and Certification

- a. Only those Authorized Officers/Agents who have successfully completed the required training, as mandated by the Director of UFPD, shall be authorized to utilize warning shots.

- b. Only ordnance approved by the Director of UFPD shall be authorized for use in conducting warning shots.
 - c. Warning shots shall be deployed with strict adherence to UFPD-approved programs policies, procedures and directives.
2. Warning shots are to be used as a signal only. They are used to attract attention after all other available means of signaling have failed. This conforms to United States and international law, which recognize warning shots across the nose of aircraft as legitimate signals.
 3. Warning shots pose a potential hazard; therefore, good judgment must be exercised at all times. (b)(7)(E), (b)(7)(F)
[REDACTED]
Safety shall always be the first consideration when firing warning shots.
 4. (b)(7)(E), (b)(7)(F) [REDACTED]
 5. (b)(7)(E), (b)(7)(F) [REDACTED]

D. Reporting the Use of Warning or Disabling Shots

1. Air Enforcement – The Aircraft Commander shall report any use of warning shots to the local CBP communications center.
2. Marine Enforcement – The Vessel Commander shall report any use of warning and/or disabling shots to the local CBP communications center.
3. Warning and disabling shots are considered an Intermediate Use of Force. (b)(2), (b)(7)(E) [REDACTED]
4. In addition, a supervisor shall complete a (b)(2), (b)(7)(E) [REDACTED]
[REDACTED]
5. Authorized Officers/Agents shall report incidents involving the use of warning or disabling shots (not resulting in serious injury or death) to (b)(2), (b)(7)(E) [REDACTED]
[REDACTED]

Chapter 9: Special Programs

A. Border Patrol Tactical Unit (BORTAC)

BORTAC, acting as a national special response unit for CBP, may test, evaluate and utilize any weapons system or weapon-related equipment. (b)(7)(E), (b)(7)(F)

B. Special Response Team (SRT)

Any SRT use of force or special weapons training (b)(7)(E), (b)(7)(F)

C. Special Weapons

1. BORTAC, SRT and specifically designated Authorized Officers/Agents (b)(7)(E), (b)(7)(F)
2. Only BORTAC, SRT and specifically designated Authorized Officers/Agents who have successfully completed the required training, (b)(7)(E), (b)(7)(F)

D. Training and Testing

As directed by the Director of UFPD, selected Authorized Officers/Agents, FIs or officers/agents assigned to approved SRTs (including detail assignments) may transport and use any firearm in the CBP inventory, any firearm selected by the Director of UFPD for training or operational purposes, or any firearm under consideration by CBP for acquisition for the purpose of conducting:

1. Any training approved by the Director of UFPD; and/or
2. Testing and evaluation of weapons as directed by the Director of UFPD.

E. Honor Guards

Authorized Officers/Agents assigned to an honor guard unit may use firearms specifically approved by the appropriate AC of an operational component with the concurrence of the Director of UFPD. (b)(7)(E), (b)(7)(F)

(b)(7)(E), (b)(7)(F)

F. CBP-Authorized Competitive Shooting Teams

1. Participation in competitive shooting events is encouraged. CBP may provide support at the local level, to include funds, ammunition and administrative leave as determined by the Field Office or Sector. Officers/agents are required to submit a written request for support and must provide match results from those events. (b)(7)(E), (b)(7)(F)

2. National competitive shooting teams may be selected on a yearly basis, based on the availability of funds allocated and with the approval of the AC of the respective operational component and/or the Director of UFPD.

3. (b)(7)(E), (b)(7)(F)

G. Explorer Programs

CBP participation in the Law Enforcement Explorer program is encouraged. Local and national support may be made available when funding and manpower permit.

Participants in the Explorer program must adhere to all appropriate safety rules and protocols when utilizing CBP equipment and facilities.

Chapter 10: Foreign Travel and Assignments

A. Foreign Travel

(b)(7)(E), (b)(7)(F)

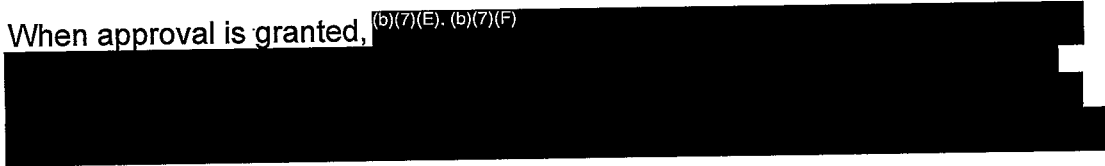



B. Foreign Assignments


The following procedures are for officers/agents who are assigned or will be assigned to an overseas post of duty:

1. Import and export of firearms, (b)(7)(E), (b)(7)(F)
- 

When approval is granted, (b)(7)(E), (b)(7)(F)



- a. (b)(7)(E), (b)(7)(F)
- 

- b. (b)(7)(E), (b)(7)(F)
- 

- c. When Authorized Officers/Agents are on an extended foreign assignment that is expected to exceed ninety (90) days, their domestic CBP-issued firearm(s) must be returned to their PFI until they return.

When an officer/agent either departs or returns from an extended foreign assignment they will make arrangements with their supervisor to secure or retrieve their CBP-issued weapon. The purpose of these arrangements is to minimize the time the officer/agent is without a weapon, thereby increasing officer/agent safety.

Chapter 11: Firearms Accountability

A. Control of Firearms, Munition Launchers and Body Armor

1. The Director of UFPD is responsible for providing policy guidance and system oversight of the firearms, munition launchers and body armor accountability process. (b) (7)(E)

[REDACTED]

2. Every CBP-issued and authorized firearm, munition launcher, and/or body armor must be recorded and (b) (7)(E)

[REDACTED]

3. (b) (7)(E)

[REDACTED]

4. (b) (7)(E)

[REDACTED]

5. Upon separation of an officer/agent, the immediate supervisor is responsible for ensuring that all firearms, munition launchers and/or body armor is transferred in (b) (7)(E)

[REDACTED]

6. Managers and supervisors are responsible for the accuracy of inventories for their organizational components.
7. Managers must ensure that each of their officer's/agent's profiles in the tracking system is accurate.
8. PFIs must notify UFPD when a firearm and/or munition launcher undergoes any atypical change of disposition (such as use for competition, firearms being held as evidence, etc.).

B. Annual Inventory

1. The Director of UFPD shall conduct an annual automated inventory for all firearms, munition launchers, and body armor in CBP.
2. ROs shall ensure field compliance with completion of the inventory.

C. Storage of Firearms, Munition Launchers and Body Armor

1. Each Authorized Officer/Agent shall be responsible for the general care and maintenance of assigned firearms, munition launchers, body armor and associated equipment.
 - a. Officers/agents are expected to exercise good judgment in providing sufficient security for all CBP-issued firearms, munition launchers, body armor and other use of force devices to protect against theft or unauthorized use.
 - b. Officers/agents may be subject to disciplinary action if a CBP-issued firearm, munition launcher, body armor or use of force device is stolen or lost and a determination is made that the officer/agent was negligent or used poor judgment in safeguarding that equipment.

2. (b)(7)(E), (b)(7)(F) [REDACTED]

3. (b)(7)(E), (b)(7)(F) [REDACTED]

4. Issued Shoulder Fired Weapons (SFWs) and munition launchers shall be stored in a secure area with limited access. (b)(7)(E), (b)(7)(F)

[REDACTED]

5. Firearms and munition launchers (b)(7)(E), (b)(7)(F)

[REDACTED]

a. (b)(7)(E), (b)(7)(F) [REDACTED]

b. (b)(7)(E), (b)(7)(F) [REDACTED]

6. When Authorized Officers/Agents are on extended leave that is expected to exceed ninety (90) days, their CBP-issued firearm(s) may (at the officer's/agent's discretion) be returned to their PFI until they return to duty.

D. Lost or Stolen Firearms, Munition Launchers and Body Armor

1. CBP firearms, munition launchers and/or body armor that are lost or stolen shall be reported as follows:

- a. (b)(7)(E), (b)(7)(F) [REDACTED]
- b. (b)(7)(E), (b)(7)(F) [REDACTED]
- c. (b)(7)(E), (b)(7)(F) [REDACTED]
- d. (b)(7)(E), (b)(7)(F) [REDACTED]

2. CBP personnel must comply with applicable local law enforcement reporting requirements for lost or stolen firearms and/or munition launchers.
3. When a CBP-issued firearm has been lost or stolen the officer/agent shall (so long as the authority to carry a firearm has not been revoked) promptly be provided with:

- a. A replacement firearm;

- b. (b)(7)(E), (b)(7)(F) [REDACTED]
- c. (b)(7)(E), (b)(7)(F) [REDACTED]
- d. (b)(7)(E), (b)(7)(F) [REDACTED]

4. Lost or stolen body armor will be replaced as soon as practicable in order to allow employee to return to duty.

E. Board of Survey

1. The Headquarters Board of Survey (BOS) (b) (2)

2. UFPD is responsible for documenting the BOS findings in the (b) (7)(E)

F. Firearms Requests

1. Requests for firearms and/or munition launchers (b) (7)(E)

2. Requests for firearms and/or munition launchers other than handguns require the concurrence of the Director of UFPD, after review by operational component headquarters personnel.

G. Firearms, Munition Launchers and Body Armor Transfers

1. (b) (7)(E)

2. All unissued or pool firearms and munition launchers in any office shall be assigned to the CBP firearms (b) (7)(E) PFI for that office.

H. Unissued Firearms

1. (b)(7)(E), (b)(7)(F)

2. (b)(7)(E), (b)(7)(F)

3. (b)(7)(E), (b)(7)(F)

4. (b)(7)(E), (b)(7)(F)

5. For special weapons in support of specific missions, the type, number, and deployment shall be determined by the appropriate RO with the written concurrence of the AC of the operational component.

I. Non-Standard Firearms

1. Requests for authorization to carry non-standard firearms must be submitted through the CBP firearms information tracking system for approval by the RO and the Director of UFPD (b)(7)(E), (b)(7)(F)

2. UFPD shall be notified when non-standard firearms are issued in (b)(7)(E), (b)(7)(F)

3. ROs shall ensure that the officers/agents using non-standard firearm(s) have qualified with the firearm(s) in accordance with this policy.

4. Issuance of non-standard firearms (b)(7)(E), (b)(7)(F)

J. Seized or Abandoned Firearms

1. Immediately after final adjudication, abandoned firearms, ammunition, and other firearms related materials and firearms seized for forfeiture shall be forwarded to UFPD.

2. (b) (7)(E)

3. (b) (7)(E)

4. (b) (7)(E)

K. Firearm Acquisitions (Including Munition Launchers)

1. UFPD is the only authorized entry and exit point for all firearms and munition launchers for CBP and is the inventory control point for all firearms and munition launchers.

2. No entity outside of UFPD is approved to receive, destroy or otherwise remove firearms and munition launchers from service without written approval of the Director of UFPD.
3. No entity outside of UFPD is approved to loan or transfer firearms and/or munition launchers to another agency or to individuals within another agency without the written approval of the Director of UFPD.

Chapter 12: Firearm and Munition Launcher Maintenance, Inspection and Repair

A. Firearm and Munition Launcher Inspection Requirements

1. Only UFPD shall receive newly purchased firearms and munition launchers from vendors. All firearms and munition launchers shall be inspected to ensure proper functioning and compliance with CBP specifications and standards.
2. All CBP-authorized firearms shall be inspected during qualification periods by a Field Armorer (FA) or Firearms Instructor (FI) to ensure safe and proper functioning.
3. No accessories may be mounted on any CBP-authorized firearm without written approval from the Director of UFPD.
4. All maintenance and repairs must be documented in the CBP firearms information tracking system.
5. Periodic Inspections - FIs shall provide officers/agents with training regarding proper firearms and munition launchers care, maintenance, and inspection procedures. This training shall be incorporated into the quarterly firearms training curriculum.
6. UFPD has the authority to recall and/or inspect any CBP-issued firearm and/or munition launcher as necessary.

B. Firearm and Munition Launcher Maintenance

1. All Authorized Officers/Agents are responsible for normal cleaning and preventive maintenance of their firearms and/or munition launchers. Officers/agents shall be provided with sufficient materials and sufficient duty time (consistent with operational needs) to clean their authorized weapons. Failure to do so may result in disciplinary action.
2. Maintenance should only be done in accordance with the instructions provided by UFPD or as described in the operator manuals for that particular firearm or munition launcher. Operator manuals shall be provided to all officers/agents for each of their CBP-issued firearms.
3. Firearms and munition launchers shall be cleaned as soon as practicable after being fired. **NOTE: Firearms/Munition launchers should not be cleaned in the case of a reportable shooting incident or an unintentional discharge**

(b) (7)(E)

4. FIs shall ensure that all unissued or pool weapons used in training, practice, or qualification sessions are cleaned and preventive maintenance performed prior to returning the weapon to storage.
5. The officer/agent shall perform any required cleaning of a firearm prior to being turned in and accepted by the FA and the PFI.

C. Firearms Repair

1. Authorized Officers/Agents (except those certified and designated as FAs) are prohibited from making any repairs, adjustments and/or modifications to CBP-authorized firearms unless expressly authorized by the Director of UFPD.
2. FAs, who are certified by UFPD, are authorized to make certain repairs and/or modifications as provided in FA training and subsequent UFPD-directed repairs and/or modifications.
3. Firearms requiring repairs beyond FA authorization must be sent to UFPD.

D. Firearm, Munition Launcher and Body Armor Shipping

1. The PFI is responsible for shipping and receiving all firearms, munition launchers and body armor assigned within their area of responsibility.
2. The shipment of any firearm, munition launcher or body armor shall be done as prescribed by UFPD and (b) (7)(E) [REDACTED]
3. (b) (7)(E) [REDACTED]

E. Firearm, Munition Launcher and Body Armor Replacement

1. An Authorized Officer/Agent shall immediately notify a PFI or an FI when any CBP-issued firearm, munition launcher or body armor becomes inoperable or appears to be unsafe to use. Based on the inspection, the PFI shall immediately issue the officer/agent a replacement.
2. Serviceable body armor should be replaced no later than the interval recommended by the manufacturer.
3. PFIs shall return any inoperable or unsafe firearm, munition launcher or body armor to UFPD (b) (7)(E) [REDACTED]

F. Firearm, Munition Launcher and Body Armor Destruction

UFPD is the only CBP component authorized to destroy firearms, munition launchers and/or body armor.

Chapter 13: CBP-Issued Ammunition

A. Ammunition Procurement and Use

1. All CBP-issued ammunition shall be new, commercially manufactured and procured by UFPD through normal procurement channels. UFPD shall conduct research and development, testing, evaluation and procurement of all ammunition or component products. (b) (7)(E)

2. Only CBP-issued/approved ammunition shall be used in CBP-issued firearms.
3. Purchase Card acquisition of ammunition must be approved in writing by the Director of UFPD.

B. Special Ammunition Requests

Requests for any specialized ammunition not listed on the approved ammunition list must be submitted in writing through the respective chain of command to the Director of UFPD for approval and procurement.

C. Ammunition Issue

1. Ammunition previously issued for duty carry (handgun, shotgun and rifle) shall be fired during qualifications. Ammunition for practice and/or sighting-in with appropriate SFWs shall be issued at the range prior to firing the qualification course as needed. Replacement ammunition for duty carry shall be issued after each firearms qualification session.
2. Authorized Officers/Agents shall use duty ammunition for qualifications, practice and training.
 - a. Exceptions may occur if firing ranges cannot support duty ammunition or if problems are discovered that require the use of hazard-free ammunition. ROs shall immediately notify UFPD in writing if duty ammunition cannot be used on a particular firing range.
 - b. Exceptions to the requirement to use duty ammunition for qualifications may also be granted by UFPD upon determination that a safety problem exists with firearms or ammunition.
3. In addition to the handgun ammunition necessary for duty carry and official qualification, ROs may issue handgun proficiency ammunition to each Authorized Officer/Agent upon request. (b) (7)(E)

- a. The Authorized Officer/Agent shall initial an Ammunition Use Log – (b) (7)(E)
[REDACTED]
- b. CBP issues ammunition to assist officers/agents in maintaining proficiency and improving their shooting skills. (b) (7)(E)
[REDACTED]
- c. Authorized Officers/Agents shall expend proficiency ammunition in accordance with all applicable laws, ordinances and policies.

D. Ammunition for Competitive Shooting

1. Authorized Officers/Agents may request ammunition for use in competitive handgun, shotgun and rifle shooting events by submitting a memorandum to the RO.
2. If the ammunition requested is available in the local inventory and issuance will not cause a shortage for duty, training, proficiency or qualification use, it may be issued to the requesting officer/agent once approved by the RO.
3. Ammunition not in the inventory may be requested through the RO with the concurrence of the Director of UFPD.
4. Approval of requests for the purchase of ammunition for competitive shooting is subject to availability of funding and the concurrence of the AC of the respective operational component and/or the Director of UFPD. Purchase Card purchases of firearms ammunition must be approved in writing by the Director of UFPD.
5. Officers/agents who receive ammunition for use in competitive shooting are required to maintain a record of the use of ammunition and submit written evidence of participation in competitive events to the RO.

E. Ammunition Storage

1. Unissued ammunition shall be stored in a secure room with limited access and in accordance with the policies and procedures cited in the *Interim Physical Security Guidance for Customs and Border Protection (CBP) Facilities* memorandum dated Oct. 25, 2006 (available on CBPnet). If required, ROs shall ensure that special storage needs are met for the ammunition.
2. Each Authorized Officer/Agent is personally responsible for all CBP ammunition issued to them and must take reasonable measures to ensure its safe storage and general care in accordance with this policy.

F. Ammunition Inventory

1. As the inventory of ammunition changes, that change shall be continually accounted for and records maintained at the ammunition storage site by the PFI or FI.
2. The RO, or his or her designee, shall conduct an annual audit for each CBP location. Records of these audits shall be maintained locally for a period of no less than five years.

When developed and available, ROs shall utilize the CBP electronic ammunition inventory system and update the ammunition inventory on a quarterly basis.

G. Emergency Situations

In threatening, emergent situations, Authorized Officers/Agents are authorized to use any ammunition available. However, this statement does not authorize the carrying of ammunition that is not specified on the list of Ammunition for Duty Use published by the Director of UFPD.

Chapter 14: Holsters and Related Equipment

A. Uniform Duty Holsters and Related Equipment

All holsters and related equipment which meet the standards established by the Authorized Officer's/Agent's specific program may be approved for duty use by the RO, with the concurrence of the Director of UFPD and the AC of the operational component.

A sufficient selection of holsters and related equipment will be authorized to meet the operational needs of all CBP armed personnel. Suggestions for new or improved holsters and/or related equipment may be submitted for evaluation to the Director of UFPD.

B. CBP-Authorized Plainclothes/Off-Duty Holsters and Related Equipment

1. Holsters and magazine carriers shall be constructed of durable material. They shall be of any design that securely retains the handgun and allows the officer/agent to quickly draw the handgun.

The holsters and magazine carriers must be concealable and may be black, brown, tan, or any other color that is authorized by UFPD and approved by the RO.

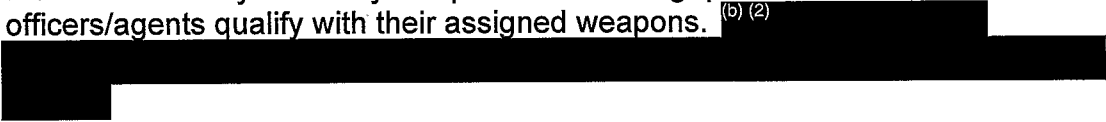
2. In conjunction with firearm qualifications, Authorized Officers/Agents who normally carry the handgun in another type of holster shall be required to annually demonstrate their ability to safely draw an unloaded handgun, engage a target and holster the handgun. These exercises should be developed locally by the FI, and shall be sufficient to make a reasonable determination of the officer's/agent's ability to safely use the holster.

C. Inspection of Holsters and Related Equipment

1. The PFI or FI shall conduct an annual inspection of the Authorized Officer's/Agent's authorized holster and related equipment.
2. Officers/agents shall not use any equipment found to be non-operational or in poor condition.

Chapter 15: Range Operations

A. Range Conduct

1. All personnel participating in firearms qualifications shall conduct themselves in a safe and professional manner at all times. Any officer/agent who observes a dangerous or unsafe condition while on the range should immediately call "CEASE FIRE" in a voice that can be heard by all shooters. The Firearms Instructor (FI) shall remove from the range any person who fails to comply with safety practices, procedures or instructions.
 2. When conducting firearms training, the FI has the absolute and final authority on matters of range operation and safety.
 3. When participating in firearms qualifications, officers/agents may wear their normal duty uniform and/or equipment, or attire and equipment appropriate for their current assignment.
 4. During qualification and structured training, armed personnel shall use only CBP-authorized weapons.
 5. Armed personnel shall qualify with their assigned weapons. If a weapon malfunctions during qualification and cannot be repaired on-site, the officer/agent may qualify with a different weapon of identical make and model, if available.
 6. FIs shall manually inventory weapons used during qualification and ensure that officers/agents qualify with their assigned weapons. (b) (2)
- 

B. Range Operation and Safety

1. Prior to commencing range activities, FIs shall ensure that the following minimum safety precautions are adhered to:
 - a. An emergency transport vehicle is designated;
 - b. A telephone, a wireless telephone, and/or radio is available;
 - c. Emergency numbers are available;
 - d. A first aid trauma kit is available, as defined by the Director of UFPD in Appendix IX; and

- e. A Standard Operating Procedure (SOP) is in place for the possibility of injuries. This SOP should be designed for the specific range location and shall include the location of appropriate medical facilities and access to local Emergency Medical Services (EMS).
2. The FI shall ensure that all personnel on or near the firing line use appropriate eye and hearing protection.

Eye protection shall cover the front and sides of the eyes. Hearing protection shall be both inner ear plugs and outer ear protection of a hard shell design.

Such protective devices shall be available to all officers/agents at the firearms range. Unserviceable and/or damaged protective devices will be replaced.

3. The minimum ratios of FIs/RSOs to shooters on the firing line are:
 - a. For practice and demonstration of firearms proficiency sessions, one (1) FI/RSO per every six (6) shooters; and
 - b. For tactical firearms training exercises, one (1) FI per every two (2) shooters during static firing and one (1) FI for each shooter during dynamic movement shooting.

C. Force-on-Force Training (FFT)/Integrated Scenario Base Training (ISBT)

1. Prior to conducting FFT or ISBT, IFIs and/or FIs must have attended training as approved by the Director of UFPD.
2. When conducting FFT or ISBT, IFIs and/or FIs must at all times adhere to the safety precautions delineated in the appropriate lesson plan or SOP.

a. (b) (7)(E)

b. (b) (7)(E)

Appendix I: Acknowledgement of Receipt of CBP Use of Force Policy

As an officer/agent who is authorized to carry a firearm and intermediate force device, you are required to comply with and be thoroughly familiar with all aspects of the CBP Use of Force Policy. You have been provided a complete copy of the CBP Use of Force Policy Handbook and the opportunity to discuss the contents of the Policy with your supervisor or other management officials. Due to the critical nature of certain aspects of the Use of Force Policy, your attention is particularly directed to the following Chapters:

Chapter 2: Authority to Carry Firearms – This section specifically addresses the requirements for an Authorized Officer/Agent to carry a firearm and the circumstances under which a firearm may be carried.

Chapter 4: Use of Force – This section addresses DHS and CBP policy regarding the use of force.

Chapter 5: Use of Force Reporting Requirements – This section addresses the specific actions that shall be taken in the event that a reportable use of force incident occurs.

Chapter 6: Use of Force Proficiency and Training – This section addresses the requirements to maintain firearm and intermediate force device certification.

Chapter 7: Intermediate Force Devices – This section addresses the use of authorized intermediate force devices.

By signing this statement, you acknowledge that you have read, understand, and agree to comply with the CBP Use of Force Policy and your personal obligation to comply with all chapters of the Policy.

_____ Officer's/Agent's Name (Printed)	_____ Officer's/Agent's Signature	_____ Date
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Officer's/Agent's Duty Station

_____ Supervisor's Name (Printed)	_____ Supervisor's Signature	_____ Date
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This signed acknowledgment shall be included in the officer's/agent's local personnel file in accordance with Chapter 1 of the CBP Use of Force Policy.

Appendix II: DHS Use of Deadly Force Policy*Secretary*U.S. Department of Homeland Security
Washington, DC 20528**Homeland
Security**

July 1, 2004

MEMORANDUM FOR: Deputy Secretary
Under Secretaries
Director, U.S. Secret Service
Commandant, U.S. Coast Guard
Assistant Secretary, ICE
Commissioner, CBP
Acting Administrator, TSA

FROM: Tom Ridge *Tom Ridge*

SUBJECT: Use of Deadly Force Policy

Attached is the Department of Homeland Security (DHS) Use of Deadly Force Policy which I issued today. The policy, applicable to all DHS law enforcement officers and agents, is intended to provide the standard for all DHS components. Officials and supervisors should take appropriate steps to ensure that pre-existing use of force policies comply with this new standard and incorporate its core principles.

The following Use of Deadly Force Policy was developed by a Task Force comprised of DHS headquarters and component representatives to unify to the extent feasible and practicable existing DHS agency policies. The resulting umbrella policy reflects the components' different law enforcement missions and activities, and permits the agencies to adopt more detailed operational guidance with DHS approval.

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48686

DEPARTMENT OF HOMELAND SECURITY POLICY ON THE
USE OF DEADLY FORCE

June 25, 2004

By virtue of the authority vested in the Secretary of the Department of Homeland Security, including the authority vested by 6 U.S.C. §112(a), I hereby establish a Department of Homeland Security policy on the use of deadly force for law enforcement. The policy set forth herein is intended to set uniform standards and provide broad guidelines for the use of force by law enforcement officers and agents of the Department of Homeland Security performing law enforcement missions. The provisions of this Order apply to all law enforcement officers and agents of the Department of Homeland Security.


I. GENERAL PRINCIPLES

Law enforcement officers and agents of the Department of Homeland Security may use deadly force only when necessary, that is, when the officer has a reasonable belief that the subject of such force poses an imminent danger of death or serious physical injury to the officer or to another person.

(b)(7)(E). (b)(7)(F)



(b)(7)(E), (b)(7)(F)



II. GUIDELINES

A. Homeland Security Directorates and Agencies shall, to the extent necessary, supplement this policy with policy statements or guidance consistent with this policy. Such policy statements shall be subject to review and approval by appropriate departmental offices, including the Office of General Counsel, to ensure consistency with law and departmental standards and policies.

B. The respective Homeland Security Directorate Under Secretaries, the Commandant of the United States Coast Guard, and the Director of the United States Secret Service shall approve guidelines for weaponless control techniques, intermediate weapons, and firearms or lethal weapons with non-lethal munitions, in accordance with this policy and that directorate's or agency's unique law enforcement mission, training, and equipment.

III. MILITARY ACTIVITIES

This policy shall not apply to the United States Coast Guard when engaged in warfighting, the military defense of the United States, or other military activities where Standing Rules of Engagement apply or to other operations at sea addressed by other policies or direction.

IV. SAVINGS

To the extent agency and component policies and procedures in place prior to the creation of the Department of Homeland Security are consistent with this policy, they remain in full force and effect unless otherwise revoked or modified.

V. APPLICATION OF THE POLICY

This Policy is not intended to, and does not, create any right or benefit, substantive or procedural, enforceable at law or in equity, against the United States, its departments, agencies, or other entities, its officers or employees, or any other person.



Tom Ridge

Appendix III: DHS Commitment to Race Neutrality in Law Enforcement Activities

Secretary
U.S. Department of Homeland Security
Washington, DC 20528



**Homeland
Security**

THE DEPARTMENT OF HOMELAND SECURITY'S COMMITMENT TO RACE NEUTRALITY IN LAW ENFORCEMENT ACTIVITIES

June 1, 2004

One of the greatest strengths of the Department of Homeland Security is the quality and integrity of the people with whom I am honored to serve. I am particularly grateful for the opportunity to work with outstanding law enforcement and military personnel who put their lives on the line daily to make our country safe. Your professionalism, dedication and commitment to excellence are inspiring to us all.

Our mission is to ensure the security of our nation and our people. The size, scope and character of our nation means that we face a substantial challenge, for while we must secure our nation and our people we must also secure our freedoms and ensure that liberty thrives. In all we do to secure America, our strategies and our actions must be consistent with the individual rights and civil liberties protected by the Constitution and the rule of law. I challenge each of you to redouble your efforts to conduct your activities in ways that meet this critical goal.

I particularly direct you to follow a policy of race neutrality in your law enforcement activities. The Department of Homeland Security's policy is to prohibit the consideration of race or ethnicity in our daily law enforcement activities in all but the most exceptional instances. The following is the Department's official policy on this issue:

"Racial profiling" concerns the invidious use of race or ethnicity as a criterion in conducting stops, searches and other law enforcement activities. It is premised on the erroneous assumption that any particular individual of one race or ethnicity is more likely to engage in misconduct than any particular individual of another race or ethnicity. DHS explicitly adopts the Department of Justice's "Guidance Regarding the Use of Race by Federal Law Enforcement Agencies," issued in June 2003. It is the policy of the Department of Homeland Security to prohibit the consideration of race or ethnicity in our daily law enforcement activities in all but the most exceptional instances, as defined in the DOJ Guidance. DHS personnel may use race or ethnicity only when a compelling governmental interest is present. Rather than relying on race or ethnicity, it is permissible and indeed advisable to consider an individual's connections to countries that are associated with significant terrorist activity. Of course, race- or ethnicity-based information that is specific to particular suspects or incidents, or ongoing criminal activities, schemes or enterprises, may be considered, as stated in the DOJ Guidance.

This Guidance governs all federal law enforcement activities, and there will be serious consequences for those who disregard it.

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All components are hereby directed to include the DHS policy stated above in law enforcement manuals and policy guidelines covering any activity in which the use of race or ethnicity may arise. Moreover, all components are hereby directed to ensure that all law enforcement personnel, supervisors and managers are trained to the standards set forth in the DOJ Guidance and the DHS policy stated above, and are held accountable for meeting those standards. The Department's Office for Civil Rights and Civil Liberties will supply the components with training materials to ensure that the policy is interpreted and applied in a consistent and uniform manner. In addition, each component should develop agency-specific training materials, in concert with the Department's Office for Civil Rights and Civil Liberties.

Working together, we can protect America while also preserving her great freedoms. I am honored to work with all of you to fulfill this calling.



Tom Ridge

Appendix IV: CBP-Authorized Firearms and Intermediate Force Devices

An Authorized Officer/Agent shall be issued only one primary handgun from the list below. Based upon availability within an operational component, an Authorized Officer/Agent may be issued an H&K P2000SK as a secondary handgun with the concurrence of the AC of that operational component. An Authorized Officer/Agent shall not be issued more than two handguns without the concurrence of the AC of the operational component and the Director of UFPD.

A. Handguns authorized for use by Authorized Officers/Agents:

1. (b)(7)(E), (b)(7)(F) [REDACTED]
2. (b)(7)(E), (b)(7)(F) [REDACTED]
3. (b)(7)(E), (b)(7)(F) [REDACTED]
4. (b)(7)(E), (b)(7)(F) [REDACTED]
5. (b)(7)(E), (b)(7)(F) [REDACTED]
6. (b)(7)(E), (b)(7)(F) [REDACTED]
7. (b)(7)(E), (b)(7)(F) [REDACTED]

B. Shotguns authorized for use by Authorized Officers/Agents:

1. (b)(7)(E), (b)(7)(F) [REDACTED]

C. Rifles authorized for use by Authorized Officers/Agents:

1. (b)(7)(E), (b)(7)(F) [REDACTED]
2. (b)(7)(E), (b)(7)(F) [REDACTED]
3. (b)(7)(E), (b)(7)(F) [REDACTED]

D. Submachine guns authorized for use by Authorized Officers/Agents:

1. (b)(7)(E), (b)(7)(F) [REDACTED]

2. (b)(7)(E), (b)(7)(F)
- E. Special weapons authorized for use by Border Patrol Agents, Air and Marine Officers, and Special Response Teams (SRTs), in addition to all firearms listed above: (Use of these weapons requires specific certification and training prior to issue and use)
1. (b)(7)(E), (b)(7)(F)
 2. (b)(7)(E), (b)(7)(F)
 3. (b)(7)(E), (b)(7)(F)
- F. In addition to the weapons previously listed, Border Patrol Tactical Team (BORTAC) and SRT members may use and transport any weapons system whose utilization has been approved in writing by the AC of their operational component, with the written concurrence of the Director of UFPD.
- G. Authorized Officers/Agents serving as Primary Firearms Instructors (PFIs), Inventory Officers, Firearms Instructors (FIs) or assigned to UFPD or an approved special operations team (including detailed assignments) may use and transport any firearm in the CBP inventory or under consideration by CBP for acquisition for the purpose of conducting:
1. Training approved by the Director of UFPD; or
 2. Testing and evaluation authorized by the Director of UFPD.
- H. Intermediate force devices authorized for use by Authorized Officers/Agents upon completion of certified training.
1. Oleoresin Capsicum (OC) Spray
 2. Collapsible Straight Baton - (b)(7)(E), (b)(7)(F)
- I. Other intermediate force devices that are authorized for use by Authorized Officers/Agents upon completion of UFPD-approved training and certification by their respective operational component.
1. Munition launchers (e.g. PepperBall)
 2. 36-inch straight riot baton
 3. Collapsible Straight Batons of non-standard lengths
 4. Intermediate force devices approved by the AC of their operational component, with the concurrence of the Director of UFPD.

Appendix V: CBP Use of Force Continuum

A. Cooperative Controls

This is the first and lowest level of officer/agent response. Although it is the lowest level, the tactics and techniques on this level can be applied to all levels of the continuum to help establish control or compliance. The primary features of this level are officer presence, verbalization and application of appropriate restraints. When considering officer presence, there are several factors to consider:

1. Those elements we can change or effect:
 - a. Society recognizes that a law enforcement officer is provided with certain authorities that the average citizen does not have. Society recognizes that an officer/agent has the right to exercise this authority provided the officer/agent does so in a lawful manner. For officer presence to successfully influence the subject, there must be some type of identification to the subject that the officer/agent is a law enforcement officer. This is demonstrated through the wearing of an official uniform and/or the use of verbal identification and display of proper credentials.
 - b. An officer/agent who appears to be physically fit, mentally alert, and capable of handling a situation is more likely to successfully influence a subject and be perceived as competent.
 - c. Multiple officers/agents can increase the level of control exerted through officer presence as well as the carrying of intermediate force devices, such as CSBs and OC.
2. Those elements we cannot control:
 - a. Individuals will make assumptions about an officer/agent based on certain factors that an officer/agent has no ability to change. These factors may include, but are not limited to: gender, height and age.

B. Contact Controls

Contact controls are physical measures taken when verbal commands and officer presence are not effective in gaining compliance. The subject is offering the lowest level of resistance. In addition to effective communication the officer/agent may use other measures such as strategic positioning, escort holds, joint manipulation or immobilization or touch pressure point stimulation.

C. Compliance Techniques

When the subject is actively resisting the efforts of the officer/agent to establish and maintain control, escalation to the use of compliance techniques may be reasonable and necessary. Examples of compliance techniques include the use of OC spray, strike pressure points, stunning techniques, takedowns and joint manipulations. In situations where subjects are offering active resistance, officers/agents must be mentally and physically prepared to escalate to a higher amount of reasonable and necessary force.

D. Defensive Tactics

When a situation has reached this level on the force spectrum, the subject has either assaulted the officer/agent or is displaying a willingness and intent to do so. An assault at this level is one that results in physical injury to the officer/agent. A sufficient amount of force is needed at this level to neutralize or stop the threat. Concentrated strikes involving the use of empty-hand techniques (i.e. the use of body parts as weapons) as well as the Collapsible Straight Baton are both reasonable and necessary.

E. Deadly Force

At this level an officer/agent has a reasonable belief that the subject of such force poses an imminent danger of death or serious physical injury to the officer/agent or to another person, and the subject has the opportunity, ability and intent to do so. The use of a firearm, impact weapon, and empty-hand techniques or, in an emergency, a field expedient weapon, may be needed to gain control of this situation and prevent serious physical injury or loss of life.

Appendix IX: First Aid Trauma Kit Standards

Minimum standards for First Aid Trauma Kits utilized by Firearms and Intermediate Force Instructors are as follows:

The First Aid Trauma Kit shall consist of the following components:

Eye wash	
Sterile water	Cleaning wounds/irrigation purposes
Disposable Emergency Blanket	One time use, foil blanket
Flexible Splint, 36" Rolled	Flexible, moldable foam wrapped metal splint for broken arms, legs etc.
Cold Packs	Squeeze and break, chemicals cause cold within the pack
Rolled Gauze 4 ½" x 4.1 yards	Rolled gauze for keeping wounds clean
Rolled Gauze 2 ¼" x 3 yards	
Elastic Wrap	Stretchy elastic wrap for sprains, to allow some mobility and some stabilization
Trauma Dressing	Thick gauze bandage for heavy bleeding
Elastic Gauze Bandage, 4"	Flexicon is an elastic gauze bandage that holds dressings securely in place without slipping.

Alcohol Prep Pads	
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Chest Seal	Plastic component with valve to allow air to escape but not enter used for sucking chest wounds
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Bio-Hand Cleaner	Waterless hand cleaner
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Hot Compress	Squeeze and break chemicals, cause heat within the compress
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Wound Coagulation Chemical	A sterile hemostatic treatment that rapidly accelerates coagulation in large wounds, including high volume venous and arterial bleeding. It saves lives by arresting hemorrhage before victims go into shock caused by loss of blood
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Burn Kit	Contains ointment and bandages
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Band aids, various sizes	
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Antiseptic Sting Swabs	Antiseptic inside of an ampoule
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Firearms and/or Intermediate Force Instructors shall have a First Aid Trauma Kit available at all times when conducting firearms and/or tactical training.

Instructors who are trained and certified to administer oxygen should carry supplemental oxygen in addition to the First Aid Trauma Kit. Instructors carrying supplemental oxygen are required to adhere to all regulations pertaining to the handling and transportation of medical oxygen.

Appendix X: Glossary

AC	<u>Assistant Commissioner</u> – The director of an operational component of Customs and Border Protection.
BORTAC	<u>Border Patrol Tactical Unit</u> – A nationally recognized tactical unit for CBP. BORTAC has administrative control for all SRT units and is the certifying entity for all tactical teams.
BOS	<u>Board of Survey</u> – A Headquarters board composed of representatives from all operational components to determine disposition of lost or destroyed CBP assets.
CBP	<u>Customs and Border Protection</u> – A component of the Department of Homeland Security.
COA	<u>Co-Authority</u> – An individual designated by the Responsible Official to act in his/her stead in all functions of the CBP firearms information tracking system.
CPA	<u>Chief Patrol Agent</u> – The agent in charge of a Border Patrol Sector.
CS	<u>O-Chlorobenzylidenemalononitrile</u> – The active ingredient in CS gas or spray.
CSB	<u>Collapsible Straight Baton</u> – An intermediate force device.
DFO	<u>Director of Field Operations</u> – The director in charge of a specific number of Ports of Entry under the Office of Field Operations.
DHS	<u>Department of Homeland Security</u> – A cabinet level agency of the United States Government.
EAP	<u>Employee Assistance Program</u> – A CBP program established to provide assistance and guidance to employees.
EMS	<u>Emergency Medical Services</u> – Ambulance or paramedic services.
FA	<u>Field Armorer</u> – A firearms instructor who has been trained and certified through formal instruction to conduct limited maintenance and repair of CBP weapons.
FI	<u>Firearms Instructor</u> – An officer/agent who has been trained and certified through formal instruction as a CBP firearms instructor.
IA	<u>Internal Affairs</u> – A division of CBP that is responsible for internal investigation of all operational components.

IFI	<u>Intermediate Force Instructor</u> – An officer/agent who has been trained and certified through formal instruction to teach CSB, OC spray and other defensive tactics.
ISBT	<u>Integrated Scenario Base Training</u> – Interactive training conducted in simulated real world situations, utilizing simulated ammunition and/or inert OC spray.
OAM	<u>Office of Air and Marine</u> – One of the three operational components of CBP; composed of all CBP air and marine assets.
OBP	<u>Office of Border Patrol</u> – One of the three operational components of CBP.
OC	<u>Oleoresin Capsicum</u> – The active ingredient in OC spray, derived from cayenne pepper.
OFO	<u>Office of Field Operations</u> – One of the three operational components of CBP.
OTD	<u>Office of Training and Development</u> – A division of CBP at headquarters level with the responsibility to create, develop and implement basic and advanced training for all operational components of CBP.
PFI	<u>Primary Firearms Instructor</u> – The lead firearms instructor responsible for receiving, controlling and issuing CBP use of force equipment to CBP personnel within their duty area.
PIFI	<u>Primary Intermediate Force Instructor</u> – The lead intermediate force instructor responsible for receiving, controlling, and issuing CBP intermediate use of force equipment to CBP personnel within their duty area.
RO	<u>Responsible Officials</u> – Chief, Office of Border Patrol (OBP); Assistant Commissioner, Office of Field Operations (OFO); Assistant Commissioner, Office of Internal Affairs (IA); Assistant Commissioner, Office of Air and Marine (OAM); Assistant Commissioner, Office of Training and Development (OTD); Chief Patrol Agent (CPA); Director, Field Operations (DFO); Directors, Air Operations and Marine Operations (DAO, DMO); Division Directors, Internal Affairs (IA); Director of UFPD; and other officials designated in writing by the Commissioner.
RSO	<u>Range Safety Officer</u> – An officer/agent trained in range safety procedures utilized as a line safety officer on the firing line. <u>Serious Physical Injury</u> – A physical injury likely to cause death or serious permanent disfigurement or loss of function of a bodily member or organ.
SFW	<u>Shoulder-Fired Weapon</u> – A CBP-authorized rifle or long arm.

- SRT Special Response Team – A sanctioned, certified and chartered tactical unit performing enhanced field operations and operations requiring specialized weapons, tactics and techniques.
- UFPD Use of Force Policy Division – A division of the Office of Training and Development responsible for development of CBP use of force policy, procurement of CBP firearms and tactical equipment and oversight of use of force training for all CBP operational components.